

IN THE MUNICIPAL COURT OF THE CITY OF SEATTLE

SMC CLERKS OFFICE

KING COUNTY, WASHINGTON

No. 660276

In re Washington State Tox Lab Motion

**ORDER RE: COURT'S
FINDINGS OF FACT AND
CONCLUSIONS OF LAW**

The Court, having determined this motion is a matter of citywide significance pursuant to SMCLR 8.2.4, heard the matter *en banc* on behalf of three cases filed in Seattle Municipal Court: City of Seattle v. Christopher Markham, case no. 637660; City of Seattle v. Paul Winters, 645399; City of Seattle v. Erica Neace, case no. 656721.

The motion was heard by the undersigned judges on January 12-14, 2022. The Court, having considered the testimony, the pleadings of the parties and the argument of counsel, hereby makes the following findings of fact (based on testimony unless otherwise noted) and conclusions of law:

I. FINDINGS OF FACT**A. Washington State Toxicology Laboratory Actions.**

1. The Washington State Patrol Toxicology Laboratory ("Tox Lab"), located at 2203 Airport Way S, Suite 360, Seattle, WA, is used by the State Toxicologist to test blood seized pursuant to search warrants investigating criminal cases involving drivers suspected of being

1 under the influence of drugs or intoxicating liquors. The Tox Lab tests thousands of samples of
2 blood per year.

3 2. In March 2018, the Tox Lab expanded its testing into an office and lab workspace on
4 the same floor but separated by a hallway. This workspace, known as “the Annex,” was
5 previously occupied by the Seattle Crime Laboratory from 2002 to 2018. Unbeknownst to the
6 Tox Lab when it expanded into the Annex, forensic scientists working for the WSP Clandestine
7 Lab Response Team had previously used the workspace to synthesize and study
8 methamphetamine for training purposes. Synthesis of methamphetamine occurred up to
9 approximately twenty times from 2002 to 2011. Def Ex D.

10 3. In November 2018, a blood sample tested for drugs in the Annex resulted in
11 “discrepant” results: the first screening yielded presumptively positive results for meth, then a
12 second test came back negative. A third test confirmed negative. No cause for this discrepant
13 test was identified.

14 4. On June 5, 2019, the Tox Lab discovered a second false positive for meth in a test
15 conducted in the Annex. Def Ex. G.

16 5. On June 9, 2019, Hood 1 in the main lab was discontinued for use after six cases were
17 determined to have discrepant results.

18 6. From March 2018 to June 9, 2019, the Tox Lab identified nine cases with discrepant
19 results. Seven were related to death investigations; the remaining two involved blood obtained
20 via warrant from individuals arrested for allegedly driving under the influence of alcohol and/or
21 drugs (“DUI”). During this same period, the Tox Lab performed tests in 872 death investigation
22 cases, 2,857 DUI cases, and 103 other miscellaneous cases. Def. Exhibit H; City Ex. G.

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1 7. On June 13, 2019, the Tox Lab collected samples from ten areas of the Main Lab,
2 Annex and adjoining office spaces, and had them analyzed by Anatek, Inc., an environmental
3 testing laboratory. On June 14, 2019, Anatek tested the samples. On June 17, 2019, the Tox Lab
4 learned six of the ten test samples were positive for methamphetamine. Def Exhibit I.

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6 8. On June 19, 2019, the Tox lab permanently stopped using the Annex to test blood
7 samples.

8 9. On or about July 19, 2019, Tox Lab Manager Dr. Brianna Peterson conducted an
9 online search to find a company that could test and clean the Annex and the Tox Lab.
10 Dr. Peterson found a list of state certified decontamination companies on the Washington State
11 Department of Health website. After eliminating companies that were either too busy to respond
12 or were not located nearby, the Tox Lab contracted with Bio Clean on June 19, 2019, to test for
13 contamination and offer solutions on how to clean it up. Initial testing of the Annex indicated
14 the presence of methamphetamine on surfaces throughout the Annex including the lab, office
15 space, ceiling fans, hallways, floors and a vestibule. In the Main Lab, Hood 1 tested positive for
16 meth. Testimony and Def. Ex K.

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18 10. On July 25, 2019, the Tox Lab disclosed possible methamphetamine contamination to
19 the ANSI-ASQ Accreditation Board (ANAB). City Ex. R.

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21 11. In November 2019, February 2020, and April 2020, Bio Clean took samples from
22 different surfaces in the Main Lab and detected "high" levels of meth/cocaine contamination.
23 Bio Clean also made attempts to clean lab surfaces and Hood No. 1. In May 2020, cleaning
24 samples continued to test positive for contamination.

25 12. Miriam Norman is employed at the Seattle City Attorney's Office and also serves as a
26 Traffic Safety Resource Prosecutor for the Washington Traffic Safety Commission ("WTSC").
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1 On or about August 5, 2020, Ms. Norman learned of the contamination issue from a friend who
2 worked as a staff member at the Tox Lab. City Ex. C. Ms. Norman advised the Tox Lab that it
3 should report the possible contamination to WTSC and helped draft a Potential Impeachment
4 Disclosure (“PID”) letter.

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6 13. On August 7, 2020, the Tox Lab issued a PID letter cosigned by Ms. Norman and
7 Pam Loginsky, a staff attorney at the Washington Association of Prosecuting Attorneys
8 (“WAPA”). The PID explained that there had been environmental contamination in portions of
9 the Tox Lab, noted the findings of methamphetamine in levels that exceeded the levels specified
10 in WAC 246-205-541, and stated “the environmental contamination possibly contaminated some
11 blood samples during the extraction process.” Def. Ex C. The PID was sent to WAPA, the
12 Washington Association of Criminal Defense Lawyers (“WACDL”) and the Washington
13 Defender Association (“WDA”). City Ex. B.

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15 14. The WSP Tox Lab issued additional PIDs on September 3, 2020, March 11, 2021,
16 April 1, 2021, and May 7, 2021. City Ex. G, I, J, L, M. The Seattle City Attorney’s Office issued
17 a PID on March 12, 2021. City Ex. K.

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19 15. On August 19, 2020, Ms. Loginsky sent an email to WAPA Felony Traffic and
20 WAPA District Court providing a list of cases that may have been “most directly impacted by
21 the environmental contamination.” City Ex. G. An updated Discrepant Results Case List was
22 issued on October 27, 2021. City Ex. H.

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24 16. On August 25, 2020, the Tox Lab issued a Q&A related to the methamphetamine
25 contamination in the lab. On December 7, 2020, the Q&A was revised. Def Ex. H.
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1 17. In January 2021, March 2021 and April 2021, the Tox Lab discovered three more
2 cases with discrepant results for methamphetamine, bringing the total number of cases with
3 discrepant results to twelve. City Ex. H.

4 18. On January 4, 2021, the Tox Lab noted the tenth discrepant result. While the other
5 eleven discrepant results involved an initial positive methamphetamine result followed by a
6 negative result and a confirmed negative, the tenth involved inconsistent positive results. The
7 initial screening results indicated methamphetamine was >1.0 mg/L, but the subsequent test
8 came back with a result much lower: .031 mg/L. A retest confirmed the second result. To
9 confirm the correct amount, the Tox Lab sent the unopened B vial to an outside lab, NMS Labs.
10 In a report dated February 1, 2021, NMS reported a methamphetamine result in agreement with
11 the in-house second and third tests. Def Ex. X, pages 695-699, 801-805.

12 19. Throughout 2020 and the first quarter of 2021, the Tox Lab continued to have Bio
13 Clean sample and clean various parts of the Main Lab. On March 16, 2021, Bio Clean found
14 contamination near Hoods 5 and 6. Def Ex. S.

15 20. On May 31, 2021, as part of a study conducted by the National Institute for Standards
16 and Technology ("NIST") related to background levels of drugs found in forensic science labs,
17 samples were taken throughout the Main Lab and sent to the NIST for testing. NIST reported
18 methamphetamine in four areas of the lab. Def. Ex V.

19 21. On July 15, 2021, the areas with positive results were cleaned by laboratory
20 personnel, and additional NIST tests were planned. Def. Ex. V.

21 22. On December 9, 2021, NIST provided the results from the analysis of 25 samples
22 collected from the Main Lab on October 28, 2021. The report concluded: "From the 25 samples
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1 provided, none were found to have quantifiable levels of any of the 29 drugs included in the LC-
2 MS/MS panel, and no compounds of interest were detected in any of the samples.” Def Ex CC.

3 23. Per Dr. Peterson, due to the Tox Lab’s system of confirmatory testing, no toxicology
4 reports issued during the time of the contamination went out with false results.
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6 24. Although several witnesses speculated that the source of the meth contamination in
7 the Annex and the Main Lab was due to the synthesizing of meth by the Crime Lab from 2007-
8 2011, no evidence was provided to directly prove or disprove this theory.

9 25. The ANAB has not sanctioned the WSP Tox Lab or sought to revoke its certification
10 due to the discovery of methamphetamine contamination in the Annex or the Main Lab. The
11 ANAB has continued to approve the Tox Lab’s procedures.
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13 26. Of the twelve discrepant tests identified by the Tox Lab, none involve the named
14 defendants in the three Seattle Municipal Court cases subject to this motion. City Ex. H. Of the
15 twelve discrepant results, eleven were reported out as negative results. The twelfth was the only
16 positive test, and it was confirmed by an outside lab.

17 27. When an individual is arrested for DUI and their blood is drawn pursuant to search
18 warrant, two separate vials of blood are taken. Defense Ex. B, pp. 000027, 000058, 000115. The
19 Tox Lab tests the blood in Vial A. Vial B remains available to be tested separately.
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1 **B. Seattle Municipal Court Cases.**

2 1. City of Seattle v. Christopher Markham, case no. 637660, the procedural history is as
3 follows:¹

4 a. On May 3, 2018, defendant was arrested for suspicion of DUI, and law
5 enforcement obtained a search warrant for his blood. Two vials were taken. Defense Ex. B, pg.
6 000027.

7 b. On May 23, May 25 and June 5, 2018, the blood was tested for drugs in the
8 Tox Lab. Test results: Amphetamine 0.13 mg/l; Methamphetamine 0.96 mg/l; Carboxy-THC 52
9 ng/ml; THC 2.5 +/- 0.66 ng/ml. No discrepant results were observed. Defense Ex. B., pp.
10 000025-26.

11 c. On November 27, 2018, defendant was arraigned.

12 d. Between December 10, 2018, and January 3, 2019, defendant appeared for
13 pretrial hearings. Initially, he was pro se, but on January 3, 2019, he appeared with an attorney.
14 The pretrial was continued to February 14, 2019, upon defense counsel's motion for
15 investigation, to obtain discovery, and to negotiate with the prosecutor.

16 e. On February 2019, defendant failed to appear for his pretrial, and the court
17 issued a bench warrant for \$1,500.

18 f. On November 7, 2019, defendant was booked on the warrant.

19 g. On November 8, 2019, defendant appeared in custody and was released on bail
20 or day reporting.

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27 ¹ See, Court Docket for City of Seattle v. Christopher Markham, case no. 637660, attached as Addendum A. The
28 court takes judicial notice of the procedural history of each of the cases in this consolidated motion. ER 201.

1 h. On November 25, 2019, defendant appeared for pretrial with his attorney, and
2 the case was set for a jury trial. Defendant filed a speedy trial waiver to accommodate a motion
3 hearing for January 23, 2020, and a trial date of February 11, 2020.

4 i. On January 23, 2020, defendant was not present due to being in custody in
5 Snohomish County. Parties moved to continue trial date to March 17, 2020.

6 j. On February 12, 2020, the court received a report from day reporting indicating
7 defendant had failed to appear at day reporting after being released from Snohomish County.

8 k. On February 14, 2020, the court issued a \$2500 bench warrant for failure to
9 comply with conditions of release, and future court dates were stricken.

10 l. On March 3, 2020, defendant appeared at a bench warrant hearing, and the court
11 granted his motion to quash the bench warrant. The case was scheduled for jury trial on May 12,
12 2020.

13 m. On April 20, 2020, the May 12, 2020, trial date was administratively cancelled
14 due to COVID-related Emergency Court Closure. n. On July 29, 2020, the parties met for a post-
15 closure readiness hearing. Defendant was not present, but both parties answered ready for trial.
16 Subsequently, the case was administratively scheduled for October 14, 2020.

17 o. On August 18, 2020, the court received a report from day reporting indicating
18 defendant was not in compliance with day reporting condition of release. The court reserved
19 action and sent defendant notice to appear at readiness on October 9, 2020.

20 p. On October 7, 2020, court received a report from day reporting indicating
21 defendant had failed to comply. Court issued \$5,000 bench warrant but kept future date.
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1 q. On October 9, 2020, defendant appeared at a readiness hearing, and the court
2 granted his motion to quash the bench warrant. The court granted a defense motion to continue
3 the trial date to January 13, 2021.

4 r. On November 30, 2020, the trial date was administratively cancelled due to a
5 COVID-related Emergency Order canceling all jury trials.
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7 s. On June 1, 2021, a new readiness hearing was held. Defendant was represented
8 by new counsel Darcy Covert. Parties answered ready.

9 t. On June 10, 2021, a jury trial was scheduled for August 25, 2021, with
10 preliminary motions scheduled for July 29, 2021.

11 u. On July 9, 2021, defense filed a motion to sever counts and a motion to exclude
12 blood testing evidence. A new motion date was scheduled for August 19, 2021.
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14 v. On August 19, 2021, the court granted a joint motion to continue the motion
15 hearing. The parties discussed the need for an *en banc* motion hearing to address the issues
16 presented by the defense's challenge to the Tox Lab based on contamination. The parties agreed
17 to set a special motion for October 7, 2021. Trial was set for December 7, 2021.

18 w. On October 7, 2021, the parties agreed to reschedule the *en banc* motion
19 hearing to January 12, 2022, and to continue the trial date.
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21 y. On January 12-14, 2022, the *en banc* motion hearing was held. Trial was
22 scheduled for February 8, 2022.

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1 2. City of Seattle v. Paul Winters, case no. 645399, the procedural history is as follows:²

2 a. On July 25, 2018, defendant was arrested for suspicion of driving under the
3 influence, and law enforcement obtained a search warrant for a sample of his blood. Two vials
4 were taken. Defense Ex. B, pg. 000058.

5 b. On November 11, 2018, February 26, 2019, and March 18, 2019, defendant's
6 blood was tested by the Washington State Toxicology Lab. Test results: Methamphetamine 0.064
7 mg/l. No discrepant results were observed.

8 c. On September 12, 2019, an arraignment was scheduled. Defendant failed to
9 appear and a bench warrant was issued.

10 d. On October 2, 2019, defendant appeared, the warrant was quashed, and
11 defendant was arraigned. Conditions of release included day reporting.

12 e. On October 14, 2019, the court issued a bench warrant after defendant's failure
13 to appear at day reporting.

14 f. On October 25, 2019, the bench warrant was quashed. A pretrial was scheduled
15 for November 18, 2019.

16 g. On November 18, 2019, the court granted a defense motion to continue for
17 additional discovery.

18 h. On February 24, 2020, the court granted a defense motion to continue for
19 additional investigation. The next pretrial was scheduled for May 26, 2020.

20 i. On April 24, 2020, the upcoming pretrial hearing was administratively
21 cancelled due to COVID-related Emergency Court Closure.

22 j. On June 26, 2020, the court rescheduled a pretrial hearing for August 4, 2020.

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28 ² See, Court Docket for City of Seattle v. Paul Winters, case no. 645399, Addendum B.

1 k. On August 4, 2020, defendant was present. The case was set for a jury trial on
2 October 21, 2020.

3 l. On October 21, 2020, the court granted a motion to continue the trial date to
4 January 13, 2021.

5 m. On November 30, 2020, the trial date was administratively cancelled due to a
6 COVID-related Emergency Order canceling all jury trials.

7 n. On February 17, 2021, the court granted a defense motion for a hearing to
8 challenge probable cause. The hearing was scheduled for March 16, 2021.

9 o. On March 16, 2021, a motion hearing was held, and the court denied
10 defendant's motion to suppress the blood results for lack of probable cause.

11 p. On June 2, 2021, the parties appeared to set new jury trial date for August 4,
12 2021.

13 r. On July 30, 2021, the court granted defendant's motion to continue the trial to
14 October 13, 2021.

15 s. On October 8, 2021, the parties agreed to continue the trial date in order to join
16 the *en banc* motion hearing on January 12, 2022. The trial date was continued by agreement of
17 the parties.

18 t. On January 12-14, 2022, the *en banc* motion hearing was held. At the
19 conclusion of the motion hearing, parties agreed to set a jury trial for March 15, 2021.

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1 3. City of Seattle v. Erica Neace, case no. 656721, the procedural history is as follows:³

2 a. On October 2, 2019, the defendant was arrested on suspicion of driving under
3 the influence, and law enforcement obtained a search warrant for a sample of defendant's blood.
4 Two vials of blood were taken. Defense Ex. B, pg. 000115.

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6 b. On March 26, 2020, May 20, 2020, July 2, 2020 and July 9, 2020, defendant's
7 blood was tested by the Washington State Toxicology Lab. Test results: Morphine 0.081 mg/l;
8 Amphetamine 0.015 mg/l; Methamphetamine 0.14. No discrepant results were observed.
9 Defense Ex. B, pp. 000113-114.

10 c. On December 8, 2020, the defendant was arraigned, and the case was set for
11 pretrial on January 21, 2021.

12 d. On January 21, 2021, the court granted a defense motion to continue for
13 ongoing investigation and negotiations.

14 e. On March 9, 2021, the court granted a defense motion to continue for
15 additional investigation.

16 f. On April 20, 2021, the court granted a defense motion to continue for
17 negotiations.

18 g. On June 15, 2021, the case was set for a motion hearing on August 24, 2021,
19 and a jury trial was scheduled for September 1, 2021.

20 h. On August 23, 2021, the defense filed a motion to continue the case to
21 consolidate with the *en banc* WSP Tox Lab motion. Motion granted. Case set for October 7,
22 2021.

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28 ³ See, Court Docket for City of Seattle v. Erica Neace, case no. 656721, Addendum C.

1 i. On October 7, 2021, the parties agreed to reschedule the *en banc* motion
2 hearing for January 12, 2022. The trial date was continued by agreement of the parties.

3 j. On January 12-14, 2022, the *en banc* motion hearing was held. At the end of the
4 hearing, the parties agreed to schedule the jury trial for March 15, 2022.
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6 4. During the *en banc* motion hearing, no evidence was introduced to establish the
7 toxicology test results in these three cases were inaccurate or invalid.

8 II. CONCLUSIONS OF LAW

9 A. CrRLJ 8.3(b) Does Not Warrant Dismissal of the Defendants' Cases.

10 The defendants have asked this court to dismiss their cases, citing CrRLJ 8.3(b). Under
11 CrRLJ 8.3(b), the party seeking relief "bears the burden of showing both misconduct and
12 prejudice." State v. Salgado-Mendoza, 189 Wn.2d 420, 427 (2017). In Washington, the general
13 approach to discovery violations is to impose the least severe sanction that adequately addresses
14 the prejudice. In order to warrant the extraordinary remedy of dismissal, the prejudice must rise
15 to the level that it materially affects the defendant's right to a fair trial. Salgado-Mendoza, 189
16 Wn.2d at 432.
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18 Although the language of the rule itself refers only to dismissal of charges, Washington
19 courts have interpreted the rule to allow lesser remedies such as suppression or continuance.
20 See, CrRLJ 8.3(b); Salgado-Mendoza, 189 Wn.2d at 430-31; City of Seattle v. Holifield, 170
21 Wn.2d 230, 239 (2010). "Dismissal 'is an extraordinary remedy, one which a trial court should
22 turn to *only as a last resort*.'" Holifield, 170 Wn.2d at 237 (emphasis in original). Trial courts
23 should consider "intermediate remedial steps" before ordering the extraordinary remedy of
24 dismissal. Id. "We have stated unequivocally that '[d]ismissal is unwarranted in cases where
25 suppression of evidence may eliminate whatever prejudice is caused by governmental
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1 misconduct.” Id. (citing State v. Marks, 114 Wn.2d 724, 730 (1990)). “This is consistent with the
2 general approach to discovery violations, encouraging courts to impose the least severe sanction
3 that adequately addresses the prejudice.” Salgado-Mendoza, 189 Wn.2d at 431.

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5 **1. Defendants Have Demonstrated Government Misconduct in the Form**
6 **of Mismanagement.**

7 CrRLJ 8.3(b) analysis necessarily starts with a determination about whether
8 “governmental misconduct” has occurred. The misconduct “need not be of an evil or dishonest
9 nature, simple mismanagement is enough.” State v. Brooks, 149 Wn. App. 373, 384 (2009).
10 Misconduct or mismanagement may justify dismissal or a lesser remedy such as suppression,
11 regardless of what part of government is responsible for the misconduct. For example, courts
12 have found misconduct attributable to prosecuting attorneys (Salgado-Mendoza, 189 Wn.2d 420
13 (late disclosure of identity of witness)), toxicology labs (Holifield, 179 Wn.2d 230 (upholding
14 trial court’s remedy of suppression for toxicology lab misconduct)), court administration (State
15 v. Jieta, 12 Wn. App. 2d 227 (2020)); jail officers (State v. Garza, 99 Wn. App. 291 (2000)
16 (reviewing attorney-client communications seized from defendants’ jail cells)) and other
17 government bodies.

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19 In this consolidated case, the defendants have demonstrated several areas of
20 mismanagement by the Tox Lab.

21 **a. Continued Testing in the Main Lab Was Mismanagement.**

22 This court concludes that the primary form of mismanagement proved by the defendants
23 is the continued testing of biological samples for the presence of drugs in a laboratory known to
24 be contaminated with methamphetamine. The Tox Lab became aware of possible contamination
25 in the Annex as early as June 2019. The Anatek lab testing performed on June 13, 2019,
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1 revealed methamphetamine contamination in the Annex, offices connected to the Annex, and in
2 Hood 1 in the Main Lab.

3 Bio Clean was contracted to sample and clean-up any contamination in the Annex and
4 Main Lab. Their preliminary testing of the Annex and Main Lab on June 13, 2019, confirmed
5 areas of methamphetamine contamination throughout the lab. Despite the fact methamphetamine
6 contamination was found in the Main Lab (Hood 1), the Tox Lab continued to conduct testing in
7 the Main Lab.
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9 Bio Clean's post-decontamination samples, in April and May 2020, showed continued
10 methamphetamine contamination in the lab areas, including in the ceiling vents. Additional
11 discrepant results were observed or discovered in January 2021 and March 2021. Samples taken
12 by Bio Clean during this period revealed areas of contamination near Hood 6. Nevertheless, the
13 Tox Lab continued to conduct testing in the Main Lab during this period.
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15 As part of a NIST study related to background contamination in forensic science
16 facilities, the Tox Lab sampled various areas of the Main Lab on May 31, 2021. Several of the
17 samples came back positive for methamphetamine. While additional cleanup efforts were made,
18 the Tox Lab continued to conduct testing in the lab.

19 Another round of samples were taken for the NIST study on October 28, 2021. None of
20 these samples identified any areas of methamphetamine contamination.
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22 Conducting forensic testing of blood samples in the Main Lab from June 2019 to October
23 28, 2021, when the contamination continued to be present, constitutes mismanagement. All of
24 the witnesses who testified at the *en banc* hearing agreed that the practice of using discrepant
25 results to identify whether contamination occurred would be ineffective if *the original evidence*
26 *sample* was contaminated. Therefore, the Tox Lab committed mismanagement by continuing to
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1 test in an area where they would not be able to identify whether their initial sample was
2 contaminated.

3 The Tox Lab could have mitigated or accounted for this mismanagement by confirming
4 any methamphetamine positive blood samples. The lab could have sent the second, unopened
5 blood sample to an outside lab to confirm their results, as they did in February 2021 with the
6 tenth discrepant result. When the Tox Lab's testing was completed in an area with known
7 contamination, failure to confirm positive meth results by testing Vial B at an outside lab, also
8 constitutes mismanagement.
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10 **b. Delayed Disclosure of the Contamination to Prosecutors or Defense**
11 **Attorneys Constitutes Mismanagement.**

12 The second form of mismanagement proven by the defendants is the Tox Lab's failure to
13 disclose the fact of contamination and the discrepant results to prosecutors and defense attorneys
14 as potential impeachment information.

15 From June 2019 until the first PID was issued on August 7, 2020, the Tox Lab committed
16 mismanagement by not disclosing the contamination to anyone other than their accrediting
17 agency, ANAB. Witnesses from the Tox Lab testified that they were unaware of this duty to
18 disclose. It is unclear who or what agency had the obligation to adequately train or inform the
19 toxicologists about this obligation. Nevertheless, the obligation existed and was breached by the
20 non-disclosure.
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22 After the initial PID, the Tox Lab has demonstrated efforts to comply with these
23 disclosure requirements by issuing additional PIDs and by maintaining a website with updated
24 information about the contamination event and any discrepant results. The defendants have
25 argued these disclosures are misleading or incomplete. However, this court finds the disclosures
26 were not intentionally incomplete or deficient. All Tox Lab witnesses testified that the
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1 likelihood of contamination of the original evidence was unlikely. They did not view this as a
2 reasonable possibility. The court concludes the omission of this information in the PIDs was a
3 result of their scientific judgment rather than any desire to conceal or mislead.

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5 **2. Defendants Have Failed to Demonstrate Prejudice That Would Warrant**
6 **Dismissal Under CrRLJ 8.3(b).**

7 A finding of mismanagement or misconduct on the part of the government is not enough
8 to warrant dismissal of a case under CrRLJ 8.3(b). The rule itself provides that dismissal may
9 only occur “when there has been prejudice to the rights of the accused which materially affect
10 the accused’s right to a fair trial.” CrRLJ 8.3(b). Dismissal is an extreme remedy and should be
11 used “only as a last resort.” State v. Wilson, 149 Wash 2d 1, 12 (2003). The level of misconduct
12 needed to warrant dismissal “must shock the conscience of the court and the universal sense of
13 fairness.” State v. Martinez, 121 Wn. App. 21, 35 (2004). The Washington Supreme Court has
14 ruled that dismissal is not warranted in cases where the suppression of evidence may eliminate
15 whatever prejudice is caused by governmental misconduct. State v. Marks, 114 Wn.2d 724, 730
16 (1990).

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18 For example, in State v. Martinez, the Court of Appeals upheld the dismissal of a case
19 under CrR 8.3(b) when the State withheld material, exculpatory evidence from the defense until
20 partway through trial. 121 Wn. App. 21 (2004). In State v. Michielli, the Supreme Court upheld
21 the dismissal of charges when the State added the charges only five days before the trial, without
22 any supporting justification for the late amendment. 132 Wn.2d 229 (1997).

23 Washington courts have emphasized that “speculative prejudice” is not enough; a
24 defendant must show “actual prejudice” in order to justify dismissal. State v. Rohrich, 149 Wn.
25 2d 647 (2003). In Rohrich, the appellate court overturned a dismissal where the basis for the
26 prejudice was simply that memories “*could have*” faded or that defendant’s own power of
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1 recollection “*could have* been compromised” is insufficient to show actual prejudice. 149 Wn.
2 2d at 657.

3 In the instant cases, the defendants have failed to demonstrate actual prejudice to their
4 cases that would warrant the extraordinary remedy of dismissal. Their claims of prejudice
5 essentially fall into two categories: 1) the possibility of unreliable evidence being used to
6 convict them; and 2) being forced to choose between their speedy trial rights and effective
7 assistance of counsel.
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9 a. **Defendants Have Failed to Demonstrate the Results of Their**
10 **Blood Tests Are So Unreliable They Warrant Dismissal.**

11 The testimony at the *en banc* hearing demonstrated that there is a *possibility* that the
12 initial evidence tube of blood was contaminated by the methamphetamine present in the lab.
13 However, not even the defense expert testified that such an event was likely or even probable.
14 The fact that discrepant results were found in only twelve cases during a period when the Tox
15 Lab tested thousands of blood samples suggests that actual contamination of blood samples or
16 extractions was extremely rare.
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18 Nevertheless, the possibility of contamination of the original evidence tube exists. If
19 there was no way to confirm that the original evidence tube was not compromised, then dismissal
20 might be appropriate. However, in each of the cases before this court, Vial B—as yet
21 unopened—could easily be sent to an outside lab to verify the results obtained from the first vial
22 that was opened in the contaminated Tox Lab. This process was initiated by the Tox Lab in the
23 case of the tenth discrepant result. When the Tox Lab obtained inconsistent levels of
24 methamphetamine in January 2021, it sent the unopened Vial B to an outside lab to confirm the
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1 correct result; the lab waited for that confirmation before issuing its toxicology report. See, Def.
2 Ex. X at 000801-805.⁴

3 By noting the existence of Vial B, the court is not suggesting the defendants have any
4 burden to test the second vial. Rather, the government could confirm the Tox Lab's results by
5 having Vial B independently tested.
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7 Moreover, in at least two of the cases consolidated before this court, the prejudice from a
8 *possibly* erroneous methamphetamine result is further mitigated by the fact that other drugs were
9 found in the blood samples. Defendant Markham's blood results show positive for THC as well
10 as methamphetamine. Thus, should the court suppress the methamphetamine result, there is still
11 admissible evidence the defendant was under the influence of THC.
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13 Similarly, defendant Neace's blood results showed the presence of morphine and
14 amphetamine in addition to the methamphetamine results. Therefore, should the court suppress
15 the methamphetamine/amphetamine result, there is still admissible evidence the defendant was
16 under the influence of morphine.

17 **b. Defendants Have Failed to Demonstrate Prejudice Related to**
18 **Delay in Resolving Their Cases Due to Government**
19 **Mismanagement.**

20 The defendants argue the mismanagement by the government forced them to waive their
21 right to a speedy trial numerous times in order to allow their attorneys adequate time to prepare
22 for this hearing and their trial. This argument is without merit. Much of the delay in these three
23 consolidated cases is attributable to the unavoidable circumstances created by the global
24
25
26

27 ⁴ Notably, the other discrepant results were ultimately reported out as negative for methamphetamine, thus there is
28 no need to test the second vial of blood.

1 pandemic, failures to appear by the defendants, or typical requests for continuances by the
2 parties.⁵

3 For example, Defendant Markham was arraigned in November 2018. He failed to appear
4 for a pretrial hearing on February 14, 2019, and remained on warrant status for approximately
5 nine months. After his warrant was quashed, the case was set for trial in February 11, 2020.
6 That trial date was continued because the defendant was in custody in another jurisdiction. In
7 March 2020, the global pandemic forced the closure of courts across the state including Seattle
8 Municipal Court, creating an extraordinary backlog of cases set for trial. Mr. Markham's case
9 was ultimately rescheduled for trial in October 2020, but because the defendant failed to comply
10 with conditions of release, it was rescheduled for January 13, 2021. A new wave of COVID
11 infections forced the cancellation of jury trials in Seattle Municipal Court from November 2020
12 to June 2021, and case was reset for trial on August 25, 2021. Defendant sought a continuance
13 to join this motion.
14
15

16 Thus, the delayed disclosure of the methamphetamine contamination until August 2020
17 had very little, if any, impact on the speed with which Mr. Markham's case was addressed.

18 Similarly, delays in Mr. Winters' case were due to failures to appear in the fall of 2019,
19 and subsequent defense motions to continue for additional discovery. The pandemic also
20 resulted in delays to pretrial hearings because the court was forced to close from March to July
21 2020. His case was set for trial in October 2020, but that date was continued on the motion of
22 counsel. The trial was rescheduled to January 13, 2021, but that date was stricken when the court
23 was forced to cancel jury trials due to a COVID surge. An evidentiary motion hearing was held
24 on March 16, 2021, and once jury trials resumed, a new trial date was set for October 13, 2021.
25
26

27 ⁵ The analysis in this section necessarily relates only to the three cases currently consolidated before the court in this
28 motion. It is theoretically possible that a different outcome might be warranted in a case with different facts.

1 Defense asked for a continuance and to join the *en banc* motion. Thus, the trial delays were not
2 attributable to the delayed discovery of methamphetamine contamination but rather to the
3 intervening pandemic.

4 The case for prejudice due to the delays in Ms. Neace's case are even less compelling.
5 Her arrest occurred in October 2019, but her case was not filed until December 2020, well after
6 the methamphetamine contamination in the lab was disclosed. The only continuances in her case
7 were requested so that her attorney could further investigate the possible impact of the
8 contamination in the Tox Lab on her case, and to decide whether to join the *en banc* motion.
9

10 The defendants have collectively argued undue delay was caused by the Tox Lab's
11 "resistance to providing information" sought by the defense via subpoenas duces tecum.
12 However, the court finds the complexity of the legal issues presented and the volume of
13 documents demanded were the primary reasons the discovery process took so much time. It is
14 evident to the court that once the Tox Lab was aware of its obligation to disclose contamination
15 events to defense attorneys, the Tox Lab made diligent efforts to update disclosure reports and to
16 make information about the discrepant results available to all interested parties.
17

18 **B. Any Violation of *Brady v. Maryland* Occurred Prior to the August 2020**
19 **Public Information Disclosure, and Has Already Been Remedied by**
20 **Suppressing Blood Results Obtained During That Period.**

21 In order to establish a violation under Brady v. Maryland, 373 U.S. 83 (1963), a
22 defendant must establish three things: (1) the evidence at issue must be favorable to the accused,
23 either because it is exculpatory or because it is impeaching; (2) the evidence must have been
24 suppressed by the state either willfully or inadvertently, and (3) prejudice must have ensued.
25 Strickler v. Greene, 527 U.S. 263, 281-82 (1999).
26
27
28

1 In the instant cases, this court concludes that the government's failure to disclose the
2 contamination from the time it was discovered in May 2019, until the first PID in August 2020,
3 is favorable to the defendants because it is potential impeachment information. Thus, the first
4 Brady prong is satisfied.
5

6 Next, the evidence about the contamination was suppressed by the State. The Tox Lab
7 did not disclose the contamination to prosecuting attorneys or defense counsel. As stated above
8 in Section II.A.1.b., this failure to disclose the impeachment information was a breach of the
9 duty of the Tox Lab. Tox Lab personnel testified that they were unaware of the need to disclose
10 this information, thus the suppression of the information was inadvertent. Nevertheless, the
11 breach of the duty to disclose satisfies the second Brady prong.
12

13 However, considering the third prong, the defendants cannot demonstrate prejudice.
14 Washington courts typically describe the Brady prejudice requirement in terms of "materiality."
15 Evidence is material under Brady if there is a reasonable probability that, had the evidence been
16 disclosed to the defense, the result of the proceeding would have been different. State v. Davila,
17 184 Wn.2d 55, 73 (2015). The materiality requirement is more directly applicable to the
18 situation where evidence favorable to the defense is discovered after the trial has concluded. For
19 example, in Davila, the court ruled that the evidence of a toxicologist's ineptitude was favorable
20 as impeachment evidence, but would not have been likely to change the result of the trial
21 because a second toxicologist had separately conducted DNA analysis on different pieces of
22 evidence that implicated the defendant. Davila, 184 Wn.2d at 78.
23

24 Even when Brady evidence is discovered after a trial, dismissal is rarely the appropriate
25 remedy. United States v. Pasha, 797 F.3d 1122, 1139 (D.C. Cir. 2015). The remedy for a Brady
26 violation that comes to light before trial is a continuance so the parties may properly assess the
27
28

1 evidence for use at trial. See State v. Ramos, 83 Wash App. 622, 636 (1996) (discussing CrR 4.7
2 violations). Moreover, if the evidence could have been discovered by the exercise of due
3 diligence by the defense, there is no Brady violation. State v. Mullen, 171 Wn.2d 881, 896
4 (2011).

5
6 In our case, defense has all of the impeachable evidence prior to trial, and the cases have
7 been continued to allow for this litigation. The Tox Lab's initial failure to disclose the
8 contamination in the lab prior to the first PID is potentially a Brady violation because the Tox
9 Lab is a governmental agency tasked with analyzing evidence for criminal prosecutions.
10 However, any violation of Brady was remedied by the PID issued on August 7, 2020, and by
11 subsequent efforts of the Tox Lab and City Attorney's Office to disclose relevant material sought
12 by the defense. Therefore, while the Brady violation contributes to the "mismanagement" that is
13 the basis for our suppression ruling, it does not by itself warrant suppression of the late-disclosed
14 evidence.
15

16 **C. ER 702 Does Not Warrant Suppression of Blood Results.**

17 ER 702 reads, "If scientific, technical, or other specialized knowledge will assist the trier
18 of fact to understand the evidence or to determine a fact in issue, a witness qualified as an expert
19 by knowledge, skill, experience, training, or education, may testify thereto in the form of an
20 opinion or otherwise." The two-part test to be applied under this rule is whether (1) the witness
21 qualifies as an expert and (2) the expert testimony would be helpful to the trier of fact. State v.
22 Kalakosky, 121 Wn.2d 525, 541 (1993). Tests to detect the presence of alcohol or drugs in DUI
23 cases are governed by highly detailed statutes and administrative regulations. Assuming police,
24 investigators and lab technicians have fully complied with the procedures specified by the
25 statutes and administrative regulations, the admissibility of the test is usually not at issue.
26
27
28

1 However, if the testimony before the trial court shows that a given testing procedure was so
2 flawed as to be unreliable, then the court may use its discretion to exclude test results because
3 they are not “helpful to the trier of fact.” State v. Kalakosky, 121 Wn.2d 525 at 541.

4 In Kalakosky, defendant argued on appeal that the trial court erred in admitting DNA
5 evidence under ER 702 because the reliability of the DNA analysis was undermined by two
6 human errors that occurred in the laboratory. Kalakosky, 121 Wn.2d 525 at 541-42. In rejecting
7 the defense argument, the Court concluded,
8

9 Whether the spill or the initially mislabeled autoradiograph affected the reliability of the
10 test is a question of fact. Alleged infirmities in the performance of a test usually go to the
11 weight of the evidence, not to its admissibility. One commentator has pointed out that
12 courts should not automatically exclude scientific evidence whenever the forensic analyst
13 deviates from correct test protocol in any minor respect; rather the deviation would have
14 to materially affect the test outcome to warrant exclusion. While there might be situations
15 where irregularities in a laboratory testing procedure could be the basis for excluding the
16 test results from evidence, the irregularities which occurred here do not warrant such
17 exclusion.

18 Id. at 543. (citations omitted)

19 In the instant cases, while the court finds there was government mismanagement in the
20 operation of the Tox Lab between March 2018 when testing began in the Annex, and October
21 2021 when NIST found no more contamination, the court does not find the mismanagement
22 materially affected the defendants’ blood test results to a degree “so flawed as to be unreliable.”

23 Id. During the *en banc* hearing, there was no evidence presented to establish the results in
24 defendants’ specific cases were inaccurate or unreliable. Therefore, under ER 702, the court
25 finds the mismanagement at the lab does not warrant exclusion, and any irregularities in the
26 testing procedure goes to weight of the evidence, not the admissibility.
27
28

1 **D. Defendants Have Failed to Establish The City Is Committing A Due Process**
2 **Violation By Seeking to Admit “False” or “Unreliable” Evidence.**

3 Defendants argue the City knows or should know the blood results are “unreliable” and,
4 therefore, the City is violating the defendants’ due process rights by seeking to admit false
5 evidence. Def. Brief, pg. 87. To support their position, defendants cite State v. Roche, 114
6 Wash. App. 424 (2002). Roche involved convictions for methamphetamine possession. Roche,
7 114 Wash. App. at 428-29. After Roche and another defendant were convicted and sentenced
8 following separate jury trials, it became public knowledge the crime lab chemist who tested the
9 methamphetamine and provided testimony was “self-medicating” with heroin sent to the crime
10 lab. Id. The chemist was subsequently charged and pled guilty to evidence tampering and
11 official misconduct, and Roche and the other defendant were granted new trials based on newly
12 discovered evidence.
13

14 Roche is not on point. In the instant cases, no evidence was presented showing members
15 of the Tox Lab falsified evidence, nor is there any evidence the defendants' specific test results
16 are false, unreliable or involve discrepant results due to lab contamination. Consequently,
17 consistent with our ruling regarding ER 702, defendants have failed to establish the City is
18 seeking to admit "false" or "unreliable" evidence.
19

20 III. ORDER

1. Defendants' motion to dismiss the cases pursuant to CrRLJ 8.3(b) is denied.
2. Defendants' motion to suppress for failure to comply with ER 702 is denied.
3. Defendants' motion to suppress Amphetamine and Methamphetamine blood results is granted. Pursuant to CrRLJ 8.3(b), the court finds Tox Lab mismanagement for failing to adequately clean the Annex when it moved in, and for continuing to test for Amphetamine and Methamphetamine in the Main Lab while there was documented contamination. The court also

1 finds suppression is appropriate because the Tox Lab violated Brady by failing to notify
2 prosecutors and defense attorneys of the contamination until August 2020.

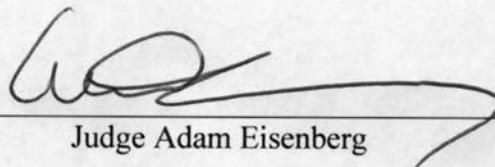
3 4. The court suppresses all blood toxicology results related to Amphetamine and
4 Methamphetamine tested in the Main Lab and the Annex between March 2018 and October
5 2021. This ruling does not affect tests for alcohol or any other drug.
6

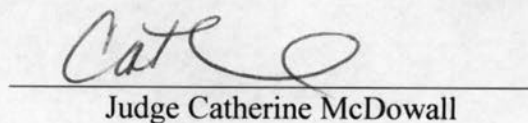
7 5. In the matter of City of Seattle v. Christopher Markham, case no. 637660, the blood
8 test results of Amphetamine 0.13 mg/l and Methamphetamine 0.96 mg/l are suppressed. The test
9 results of Carboxy-THC 52 ng/ml and THC 2.5 +/- 0.66 ng/ml are not suppressed.

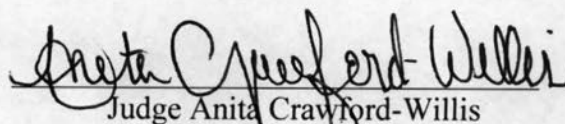
10 6. In the matter of City of Seattle v. Paul Winters, 645399, the blood test results of
11 Methamphetamine 0.064 mg/l are suppressed.
12

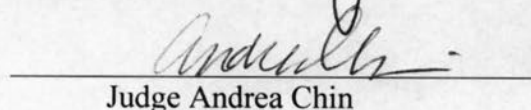
13 7. In the matter of City of Seattle v. Erica Neace, case no. 656721, the blood test results
14 of Amphetamine 0.015 mg/l and Methamphetamine 0.14 are suppressed. The test result of
15 Morphine 0.081 mg/l is not suppressed.

16 So ordered this 10th day of February 2022.

17 
18 Judge Adam Eisenberg

19 
20 Judge Catherine McDowall

21 
22 Judge Anita Crawford-Willis

23 
24 Judge Andrea Chin
25
26
27
28

Addendum A

MUNICIPAL COURT OF SEATTLE DOCKET

READINESS HEARING

Next Hearing: **02/11/2022 09:00 AM**

Courtroom: **1003**

Case Number: **637660**

Case Status: **OPEN**

Expiration Date: **02/26/2022**

Plaintiff: **City of Seattle**

**** DRIVING WHILE INTOXICATED ****

Vs.

Defendant: **MARKHAM, CHRISTOPHER LEE**

Address: [REDACTED]

Collections:

Phone: [REDACTED]

Date of Birth: [REDACTED]

Age: **52**

Sex: **Male**

Defendant Number: **462316**

Race: **W**

Language:

Incident Number: **18-076796**

Custody: **Out**

Sentencing Judge:

Related Group number:

Prosecutor:

Co-Defendants:

Defense Attorney: **COVERT, DARCY**

Agency: **TDA**

Phone: **415-637-4294**

Interpreter:

Charges

Chrg Doc No: **60637660**

Type: **CS**

Violation Date: **03/03/2018**

Filing Date: **10/22/2018**

Charge 1 **PRSNS UNDER THE INFLUENCE OF INTOXICANTS/DRUGS**

11.56.020

Plea: **NG**

Finding:

Status: **PN**

Disposition: **PENDING**

Charge Obligations

BAIL - BAIL NOT FORFEITABLE

B

Start: **11/27/2018**

Due: **11/27/2018**

End: **12/08/2019**

PAID IN FULL

Amount **\$1,000.00**

Susp:

Curr: **\$0.00**

BAIL - BAIL NOT FORFEITABLE

LXJ

Start: **10/23/2018**

Due: **10/23/2018**

End: **11/06/2018**

APPEARED IN COURT

Amount **\$1,000.00**

Susp: **\$0.00**

Curr: **\$0.00**

BOND - BOND FORFEITED

RMS

Start: **04/23/2019**

Due: **04/23/2019**

End: **02/03/2020**

OBL CORRECTION

Amount **\$1,000.00**

Susp:

Curr: **\$0.00**

FORFEITED BOND PYMNT RFND TO ALADDIN BAIL BONDS 02/03/ 2020

Charge 2 **LICENSE, DRIVER, SUSP./REVOKED THIRD DEGREE**

11.56.320(D)

Plea: **NG**

Finding:

Status: **PN**

Disposition: **PENDING**

Charge Obligations

BAIL - BAIL NOT FORFEITABLE

LXJ

Start: **10/23/2018**

Due: **10/23/2018**

End: **11/06/2018**

APPEARED IN COURT

Amount **\$500.00**

Susp: **\$0.00**

Curr: **\$0.00**

Other Case Obligations**BALW - BAIL ON A WARRANT**

KLM

Start: **02/14/2019**

Due:

End:

Amount **\$1,500.00**

Susp:

Curr: **\$1,500.00****11/8/19: MAINTAINED. BAIL OR DAY REPORTING 2X PER WEEK****BALW - BAIL ON A WARRANT**

MCS

Start: **02/14/2020**

Due:

End: **03/03/2020****APPEARED IN COURT**Amount **\$2,500.00**

Susp:

Curr: **\$0.00****BALW - BAIL ON A WARRANT**

MCS

Start: **10/07/2020**

Due:

End: **10/09/2020****APPEARED IN COURT**Amount **\$5,000.00**

Susp:

Curr: **\$0.00****CORS - CONDITIONS OF RELEASE**

SSG

Start: **11/27/2018**Due: **11/27/2019**

End:

11/27/18: NCLV, ABST, MARJ, NVOI, DONT, CONT, CADD**DSCP - DAY SERVICE CENTER PRE ADJUDICATION**

RLW

Start: **11/08/2019**Due: **01/06/2020**End: **01/06/2021****STRICKEN****01/8/19: 2X PER WEEK. BAIL OR DAY REPORTING. 11/25/19: REDUCED THE 1X/WEEK 3/3/20: 1X EVERY OTHER WEEK. REFER BACK TODAY TO DAYRPT****Warrants**

Warrant Number	Issued	Served	Warrant Type	Clearance Type	Remarks
990416722	02/14/2019	11/07/2019	BENCH WARRANT	BOOKED INTO JAIL	NO PR FTA DUIPTH
Reasons: FAIL TO APPEAR FOR PRE-TRIAL HEARING					
Restrictions: NO PR FTA DUIPTH					
Judge: EDWARD MCKENNA					
990424104	02/14/2020	03/03/2020	BENCH WARRANT	QUASHED	FTR TO DAY REPORTING NO PR
Reasons: FAIL TO COMPLY WITH DAY REPORTING					
Restrictions: FTR TO DAY REPORTING NO PR					
Judge: EDWARD MCKENNA					
990426027	10/07/2020	10/09/2020	BENCH WARRANT	QUASHED	NO PR FTC DSCP NCLV
Reasons: FAIL TO COMPLY WITH DAY REPORTING					
Restrictions: NO PR FTC DSCP NCLV					
Judge: MARY LYNCH					

Hearings							
Status	Time	Courtroom	Type	Judge	Prosecutor	Date	Clerk
H	11/06/2018 01:30 PM	1103	DUIOCA	CHESS, F	JOHNSON	10/23/2018	EXR
H	11/27/2018 01:30 PM	1103	DUIOCA	RUZUMNA, D	WERNER	11/06/2018	LXJ
H	12/10/2018 01:30 PM	1001	IPTH	KONDO, C	SARGENT	11/27/2018	SSG
H	12/24/2018 01:30 PM	1001	DUIPTH	TRATNIK, M	CONNELL-FLINT	12/10/2018	CXP
H	01/03/2019 09:00 AM	1003	DUIPTH	MCKENNA, E	SARRAFAN	12/24/2018	CXP
W	02/14/2019 09:00 AM	1003	DUIPTH	MCKENNA, E	VANNOCKEN	01/03/2019	SSG
H	11/08/2019 10:15 AM	KCJ2	ICAW	GREGORY, W	LEWIS	11/07/2019	NDW
H	11/25/2019 09:00 AM	1003	IPTH	LYNCH, M	ZAVIDOW	11/08/2019	KLM
W	01/23/2020 01:30 PM	1003	MOTION	MCKENNA, E	KARR	11/25/2019	TFM
C	02/07/2020 09:00 AM	1003	RDNSS			11/25/2019	TFM
C	02/11/2020 09:00 AM	1003	MASTER			11/25/2019	TFM
H	03/03/2020 01:30 PM	1003	BWADD	GREGORY, W	O'BRIEN	02/18/2020	PBC
C	03/12/2020 01:30 PM	1003	MOTION			01/23/2020	TSD
C	03/13/2020 09:00 AM	1003	RDNSS			01/23/2020	TSD
C	03/17/2020 09:00 AM	1003	MASTER			01/23/2020	TSD
C	05/07/2020 01:30 PM	1003	MOTION			03/03/2020	MCS
C	05/08/2020 09:00 AM	1003	RDNSS			03/03/2020	MCS
C	05/12/2020 09:00 AM	1003	MASTER			03/03/2020	MCS
H	07/29/2020 03:30 PM	1002	RDNSS	GREGORY, W	MALCOLM	06/26/2020	TTC
H	10/09/2020 09:00 AM	1003	RDNSS	LYNCH, M	OKADA	08/19/2020	MCS
C	10/14/2020 09:00 AM	1003	MASTER			08/05/2020	MCS
C	01/08/2021 09:00 AM	1003	RDNSS			10/09/2020	MCS
C	01/13/2021 09:00 AM	1003	MASTER			10/09/2020	MCS
H	06/01/2021 02:00 PM	1003	RDNSS	GREGORY, W	OKADA	04/26/2021	LXD
C	07/29/2021 01:30 PM	1103	MOTION			06/01/2021	MCS
H	08/19/2021 01:30 PM	902	MOTION	EISENBERG, A	GEORGIEVA	07/26/2021	KLM
C	08/20/2021 09:00 AM	1003	RDNSS			06/10/2021	MCS
C	08/25/2021 09:00 AM	1003	MASTER			06/10/2021	MCS
C	10/04/2021 01:30 PM	902	MOTION			09/09/2021	SXK
C	10/07/2021 01:30 PM	902	OTA			08/19/2021	DPB
H	10/07/2021 01:30 PM	902	OTA	EISENBERG, A	KARR	09/13/2021	GMP
C	10/18/2021 01:30 PM	902	OTA			09/13/2021	GMP
H	10/18/2021 01:30 PM	902	MOTION	LYNCH, M	MACDONALD	10/07/2021	LXJ
H	11/18/2021 01:30 PM	902	MOTION	EISENBERG, A	KARR	11/08/2021	KLM
C	12/03/2021 09:00 AM	1003	RDNSS			08/19/2021	DPB
C	12/07/2021 09:00 AM	1003	MASTER			08/19/2021	DPB
H	01/12/2022 09:00 AM	902	MOTION	EISENBERG, A	OUTLAND	11/18/2021	LXJ
H	01/13/2022 09:00 AM	902	MOTION	EISENBERG, A	OUTLAND	01/13/2022	KLM
H	01/14/2022 09:00 AM	902	MOTION	MCDOWALL, C	KARR	01/14/2022	KLM
H	02/04/2022 09:00 AM	1003	RDNSS	EISENBERG, A	OKADA	01/14/2022	KLM
H	02/08/2022 09:00 AM	1003	MASTER	GREGORY, W	ROYALTY	01/14/2022	KLM
A	02/11/2022 09:00 AM	1003	RDNSS			02/08/2022	MCS
A	02/15/2022 09:00 AM	1003	MASTER			02/08/2022	MCS

Events

Date	Description	Clerk
10/22/2018	CHARGE(S) FILED	EXR
10/23/2018	Refiled. Originally Filed Under Case# 633118.	EXR
10/23/2018	DUI OUT OF CUSTODY ARRAIGNMENT SCHEDULED FOR 11/06/2018 AT 1330 IN COURTROOM 1103	EXR
10/24/2018	DUIOCA HEARING NOTICE MAILED TO [REDACTED]	B
10/24/2018	DUIOCA HEARING NOTICE MAILED TO [REDACTED]	B
10/24/2018	DUIOCA HEARING NOTICE MAILED TO [REDACTED]	B
11/06/2018	DF: MARKHAM, CHRISTOPHER LEE (462316) PRESENT DL: 15:25 CLK LJ ATTY COMEAU DEFENDANT REQUESTS CONTINUANCE TO OBTAIN PRIVATE ATTY - GRANTED. CITY HAS NO OBJ TO CONTINUANCE.	LXJ
11/06/2018	DUI OUT OF CUSTODY ARRAIGNMENT SCHEDULED FOR 11/27/2018 AT 1330 IN COURTROOM 1103	LXJ
11/27/2018	DF: MARKHAM, CHRISTOPHER LEE (462316) PRESENT DL: 1452. CLK: SSG. ATTY M COMEAU APPEARED AS AOD.	SSG
11/27/2018	DEFENDANT ARRAIGNED	SSG
11/27/2018	CHARGE # 1 115602000 (D.U.I.) NOT GUILTY PLEA ENTERED	SSG
11/27/2018	CHARGE # 2 11563200D (SUSP.OL.3RD) NOT GUILTY PLEA ENTERED	SSG
11/27/2018	Probable cause found by the court after reviewing incident number 18076796 DFNS OBJECTS TO PC ON CT 1.	SSG
11/27/2018	DA MOTION FOR RELEASE - DENIED. PA MOTION FOR BAIL (\$1000 OR DSCP W/RDUA) - GRANTED IN PART.	SSG
11/27/2018	IN CUSTODY PRE-TRIAL HEARING SCHEDULED FOR 12/10/2018 AT 1330 IN COURTROOM 1001	SSG
11/27/2018	DEFENDANT BOOKED. BA# 218033137	TMO
11/28/2018	DEF RCPT/CRT DATE SENT TO KCJ FOR BAILOUT PROCESS (CS EVENT)	NDW
12/10/2018	DF: MARKHAM, CHRISTOPHER LEE (462316) PRESENT DL 3:28 CLK CP CASE SET OVER FOR DEF TO APPEAR W/ATTY	CXP
12/10/2018	DUI PRETRIAL HEARING SCHEDULED FOR 12/24/2018 AT 1330 IN COURTROOM 1001	CXP
12/24/2018	DF: MARKHAM, CHRISTOPHER LEE (462316) PRESENT DL 2:24 CLK CP ATTY N LERNER APPEARED AS FRIEND OF CRT *DEF DOES NOT HAVE AN ATTY ASSIGNED*	CXP
12/24/2018	CONTINUANCE REQUESTED BY DEFENSE TO BE ABLE TO APPEAR W/ASSIGNED ATTY- GRANTED *COURT DOES NOT MODIFY SPEEDY TRIAL TIME* *CASE SET IN COURT 1003 TO ACCOMMODATE DEF'S OTHER COURT SCHEDULES*	CXP
12/24/2018	DUI PRETRIAL HEARING SCHEDULED FOR 01/03/2019 AT 900 IN COURTROOM 1003	CXP
12/24/2018	CASE RELEASED TO DPD	EEJ
12/26/2018	NOTICE OF APPEARANCE FILED BY ATTORNEY STEELE, JOSHUA - WSBA 52518	LYC
01/03/2019	DF: MARKHAM, CHRISTOPHER LEE (462316) PRESENT DL: 0945. CLK: SSG.	SSG
01/03/2019	DA: STEELE, JOSHUA (1000012881) PRESENT	SSG
01/03/2019	SPEEDY TRIAL RULE WAIVER FILED; NEW COMM DATE 1/3/19, NEW EXP DATE 4/3/19.	SSG

01/03/2019 CONTINUANCE REQUESTED BY DEFENSE FOR INVESTIGATION, DISCOVERY AND NEGOTIATION - GRANTED.	SSG
01/03/2019 DUI PRETRIAL HEARING SCHEDULED FOR 02/14/2019 AT 900 IN COURTROOM 1003	SSG
02/14/2019 DF: MARKHAM, CHRISTOPHER LEE (462316) DEFENDANT NOT PRESENT. DL 11:25. CLK TFM. DEF FTA CRT ISSUES A B/W.	TFM
02/14/2019 DEF NOT CURRENTLY HELD IN KCCS OR SNO CO PER BALF MM AS OF 02/14/19.	TFM
02/14/2019 BENCH WARRANT # 990416722 ISSUED 02/14/2019	TFM
02/14/2019 BOND FORFEITED	TFM
03/01/2019 LICENSE HOLD NOTICE SENT TO DOL	B
03/12/2019 BW NTC# 990416722 RTN UNDL W/O FWD ADDR FR: [REDACTED]	MME
05/22/2019 ADMINISTRATIVE CHANGE - REFERRAL REMOVED BY SMC	TXS
07/19/2019 BOND RETURNED TO SURETY POSTED 11/28/18 BY ALADDIN BAIL BONDS, FORFEITURE PD BY ALADDIN BAIL BONDS 04/23/ 19.	RMS
11/07/2019 BENCH WARRANT # 990416722 CLEARED 11/07/2019 (BOOKED INTO JAIL)	NDW
11/07/2019 DEFENDANT BOOKED. BA# 219028787	NDW
11/07/2019 DEFENDANT BOOKED AT RJC	NDW
11/07/2019 IN-CUSTODY APPEARANCE WARRANT HEARING SCHEDULED FOR 11/08/2019 AT 1015 IN COURTROOM KCJ2	NDW
11/07/2019 NOTICE TO CLEAR HOLD SENT TO DOL	B
11/08/2019 DF: MARKHAM, CHRISTOPHER LEE (462316) PRESENT CLK KLM DL 1207. AOD E. RUSHER. FTA DUIPTH. DFNS MTN FOR PR-DENIED. PROS MTN TO MAINTAIN BAIL-GRANTED. PER THE COURT, BAIL OR DAY REPORTING.	KLM
11/08/2019 CONDITIONS OF CONDUCT FOR DAY REPORTING S/F JUDGE GREGORY	KLM
11/08/2019 IN CUSTODY PRE-TRIAL HEARING SCHEDULED FOR 11/25/2019 AT 900 IN COURTROOM 1003	KLM
11/09/2019 CASE RELEASED TO DPD	JSG
11/19/2019 NOTICE OF MOTION AND ORDER TO EXONERATE BAIL BOND AND REFUND BAIL FILED ON 11/12/19 (CS EVENT)	CXN
11/25/2019 DF: MARKHAM, CHRISTOPHER LEE (462316) PRESENT DL: 10:58. CLK TFM. TRIAL SETTING: SEE PRETRIAL ORDER FOR NOTED MOTIONS AND RULINGS. DEF IS MRA. ALL INTER- VIEWS ARE TO BE COMPLETED ONE WEEK PRIOR TO RDNSS.	TFM
11/25/2019 DA: STEELE, JOSHUA (1000012881) PRESENT	TFM
11/25/2019 SPEEDY TRIAL RULE WAIVER FILED NEW EXP 02/24/20.	TFM
11/25/2019 MOTION HEARING SCHEDULED FOR 01/23/2020 AT 1330 IN COURTROOM 1003	TFM
11/25/2019 READINESS HEARING SCHEDULED FOR 02/07/2020 AT 900 IN COURTROOM 1003	TFM
11/25/2019 MASTER CALENDAR SCHEDULED FOR 02/11/2020 AT 900 IN COURTROOM 1003	TFM
11/25/2019 DFNS MTN TO MODIFY DSCP TO 1X/WEEK GRANTED.	TFM
12/08/2019 FORFEITURE SET ASIDE	TFM

12/08/2019	BOND EXONERATED	TFM
12/16/2019	Notice of Withdraw and Substitution of Attorney filed by Joshua Steele WSBA 52494, Katharine Edwards WSBA 43093 and Arielle Adams Rule 8 Number 9874581 on 12/16/19 (CS EVENT)	CXN
12/31/2019	CRRLJ 3.6 MOTION; MOTION TO DISMISS FILED ON 12/31/19 BY ATTY JOSHUA STEELE WSBA 52518 (CS EVENT)	CXW
01/16/2020	City's Response to Defendant's Motion to Suppress filed by Assistant City Prosecutor Grace E. Zavidow WSBA 52586 on 01/15/20 (CS EVENT)	CXN
01/23/2020	DF: MARKHAM, CHRISTOPHER LEE (462316) PRESENT DL: 1410 CLRK: TD DFNS ATTNY ADAMS FOR AOR (RULE 8) CITY MOTION TO RESERVE MOTION TO DAY OF TRIAL - DENIED DEF NOT PRESENT - I/C IN SNOHOMISH COUNTY	TSD
01/23/2020	TRIAL DATE CONTINUED: MOTION: 03/12/20 RDNSS: 03/13/20 MASTER: 03/17/20. DEF IS MRA	TSD
01/23/2020	DEFENDANT FAILED TO APPEAR FOR SCHEDULED HEARING COURT NOTES FTA AND SENDS OTA FOR MOTIONS/RDNSS/MASTER	TSD
01/23/2020	MOTION HEARING SCHEDULED FOR 03/12/2020 AT 1330 IN COURTROOM 1003	TSD
01/23/2020	MOTION HEARING HRNG SCHDLD FOR 03/12/2020 AT 1330 IN DEPT 1003, CANCELLED!	TSD
01/23/2020	MOTION HEARING SCHEDULED FOR 03/12/2020 AT 1330 IN COURTROOM 1003	TSD
01/23/2020	READINESS HEARING SCHEDULED FOR 03/13/2020 AT 900 IN COURTROOM 1003	TSD
01/23/2020	READINESS HEARING HRNG SCHDLD FOR 02/07/2020 AT 900 IN DEPT 1003, CANCELLED!	TSD
01/23/2020	MASTER CALENDAR SCHEDULED FOR 03/17/2020 AT 900 IN COURTROOM 1003	TSD
01/23/2020	MASTER CALENDAR HRNG SCHDLD FOR 02/11/2020 AT 900 IN DEPT 1003, CANCELLED!	TSD
01/24/2020	COURTESY NOTICE OF HEARING SENT TO KATHARINE KINARD EDWARDS	B
01/24/2020	MASTER HEARING NOTICE MAILED TO [REDACTED] NOTICE RTND UNDELIVERABLE W/O FWD ADDR. 02/03/20 BXT	BXT
02/12/2020	STATUS/REVIEW REPORT RECEIVED FROM DAY REPORTING - FTA TO DSCP ON 02/10/20 - FORWARDED FOR JUDICIAL REVIEW PER THE COURT B/W \$2,500 NO PR MAINTAIN FUTURE DATS AND ALL RELEASE CONDITIONS	TSD
02/14/2020	DEF NOT CURRENTLY HELD IN KCCS PER BAILIFF KYD ON 02/14/20	TSD
02/14/2020	BENCH WARRANT # 990424104 ISSUED 02/14/2020	TSD
02/18/2020	BENCH WARRANT ADD ON CALENDAR SCHEDULED FOR 03/03/2020 AT 1330 IN COURTROOM 1003	PBC
02/18/2020	MOTION HEARING HRNG SCHDLD FOR 03/12/2020 AT 1330 IN DEPT 1003, CANCELLED!	PBC
02/18/2020	READINESS HEARING HRNG SCHDLD FOR 03/13/2020 AT 900 IN DEPT 1003, CANCELLED!	PBC
02/18/2020	MASTER CALENDAR HRNG SCHDLD FOR 03/17/2020 AT 900 IN DEPT 1003, CANCELLED!	PBC
02/28/2020	STATUS/REVIEW REPORT RECEIVED FROM DAY REPORTING FTR - FORWARDED FOR JUDICIAL REVIEW PER THE COURT, TAKES NO ACTION	TSD
02/29/2020	LICENSE HOLD NOTICE SENT TO DOL	B
03/03/2020	DF: MARKHAM, CHRISTOPHER LEE (462316) PRESENT DL: 14:41. CLK MCS. DA ADAMS. FTC DSCP. DFNS MTN TO QUASH BENCH WARRANT-GRANTED. DFNS MTN FOR 1X EVERY OTHER WEEK FOR DAY REPORTING- GRANTED. MATTER SET FOR TRIAL.	MCS
03/03/2020	BENCH WARRANT # 990424104 CLEARED 03/03/2020 (QUASHED)	MCS

03/03/2020	MOTION HEARING SCHEDULED FOR 05/07/2020 AT 1330 IN COURTROOM 1003	MCS
03/03/2020	READINESS HEARING SCHEDULED FOR 05/08/2020 AT 900 IN COURTROOM 1003	MCS
03/03/2020	MASTER CALENDAR SCHEDULED FOR 05/12/2020 AT 900 IN COURTROOM 1003	MCS
03/03/2020	NOTICE TO CLEAR HOLD SENT TO DOL	B
03/25/2020	BENCH WARRANT 990424104 RTND UNDEL W/O FWD ADDR FROM: [REDACTED] [REDACTED] (CS EVENT)	JDW
04/20/2020	HEARING CANCELED DUE TO EMERGENCY COURT CLOSURE. Pursuant to GAO 2020-07 hearing to be rescheduled with notice to the defendant when the court resumes regular operations.	TSD
04/20/2020	MASTER CALENDAR HRNG SCHDLD FOR 05/12/2020 AT 900 IN DEPT 1003, CANCELLED!	TSD
04/20/2020	HEARING CANCELED DUE TO EMERGENCY COURT CLOSURE. Pursuant to GAO 2020-07 hearing to be rescheduled with notice to the defendant when the court resumes regular operations.	TSD
04/20/2020	READINESS HEARING HRNG SCHDLD FOR 05/08/2020 AT 900 IN DEPT 1003, CANCELLED!	TSD
04/20/2020	HEARING CANCELED DUE TO EMERGENCY COURT CLOSURE. Pursuant to GAO 2020-07 hearing to be rescheduled with notice to the defendant when the court resumes regular operations.	TSD
04/20/2020	MOTION HEARING HRNG SCHDLD FOR 05/07/2020 AT 1330 IN DEPT 1003, CANCELLED!	TSD
04/20/2020	HEARING CANCELED DUE TO EMERGENCY COURT CLOSURE. Pursuant to GAO 2020-07 hearing to be rescheduled with notice to the defendant when the court resumes regular operations.	TSD
05/22/2020	STATUS/REVIEW REPORT RECEIVED FROM DCSP STATUS REPORT FORWARDED FOR JUDICIAL REVIEW PER THE COURT NO ACTION AT THIS TIME	TSD
06/24/2020	NOTICE OF APPEARANCE FILED BY ATTORNEY ADAMS, ARIELLE - WSBA 56369	CXW
06/26/2020	READINESS HEARING SCHEDULED FOR 07/29/2020 AT 1530 IN COURTROOM 1002	TTC
06/27/2020	COURTESY NOTICE OF HEARING SENT TO ARIELLE ADAMS	B
06/27/2020	RDNSS HEARING NOTICE MAILED TO [REDACTED]	B
07/28/2020	STATUS/REVIEW REPORT SUBMITTED BY DAY REPORTING - UNABLE TO CONTACT DEFENDANT	APC
07/29/2020	DF: MARKHAM, CHRISTOPHER LEE (462316) DEFENDANT NOT PRESENT. CLK KLM DL 1521. AOD SCHLESINGER. BOTH PARTIES ANSWER READY.	KLM
08/05/2020	READINESS HEARING SCHEDULED FOR 10/09/2020 AT 900 IN COURTROOM 1003	MCS
08/05/2020	MASTER CALENDAR SCHEDULED FOR 10/14/2020 AT 900 IN COURTROOM 1003	MCS
08/06/2020	COURTESY NOTICE OF HEARING SENT TO ARIELLE ADAMS	B
08/06/2020	MASTER HEARING NOTICE MAILED TO [REDACTED]	B
08/18/2020	STATUS/REVIEW REPORT RECEIVED FROM DAY REPORTING. FWD FOR JUDICIAL REVIEW. PER THE COURT DEF FTC WITH DAY REPORTING. PROB UNABLE TO LOCATE DEF. SET REVIEW HRG. ISSUE OTA. NO REVIEW DATES AVAIL PRIOR TO READINESS HRG. FTC TO BE ADDRESSED AT READINESS HRG/ISSUE OTA.	MCS
08/18/2020	FTC TO BE ADDRESSED AT READINESS HEARING. ISSUE OTA FOR SAME TIME AS READINESS HEARING. RESCHEDULE THE READINES HEARING TO RESEND OTA NOTICE TO DEF AND NOTICE ALL PARTIES.	MCS
08/19/2020	READINESS HEARING HRNG SCHDLD FOR 10/09/2020 AT 900 IN DEPT 1003, CANCELLED!	MCS
08/19/2020	READINESS HEARING SCHEDULED FOR 10/09/2020 AT 900 IN COURTROOM 1003	MCS

08/20/2020	COURTESY NOTICE OF HEARING SENT TO ARIELLE ADAMS	B
08/20/2020	RDNSS HEARING NOTICE MAILED TO [REDACTED]	B
10/06/2020	STATUS/REVIEW REPORT SUBMITTED BY DAY REPORTING/ECF FILE DATE 10/06/20: FWD FOR JUDICIAL REVIEW. 10/07/20: PER THE COURT ISSUE BENCH WARRANT IN AMOUNT OF \$5000.00 NO PR. MAINTAIN FUTURE COURT DATE.	MCS
10/07/2020	DEF NOT CURRENTLY HELD IN KCCS PER BAILIFF KYD.	MCS
10/07/2020	BENCH WARRANT # 990426027 ISSUED 10/07/2020	MCS
10/09/2020	DF: MARKHAM, CHRISTOPHER LEE (462316) PRESENT DL: 10:01. CLK/MCS. DA SCHLESINGER FOR AOR. DFNS MTN FOR CONTINUANCE-GRANTED. DFNS MOTION TO QUASH BENCH WARRANT-GRANTED. CRT ORDERS DEF TO CONTACT DAY REPORTING. REFER TO DAY REPORTING. DEF MRA.	MCS
10/09/2020	SPEEDY TRIAL RULE WAIVER FILED NEW COMM 11/13/20 AND NEW EXP 02/13/2021.	MCS
10/09/2020	MASTER CALENDAR HRNG SCHDLD FOR 10/14/2020 AT 900 IN DEPT 1003, CANCELLED!	MCS
10/09/2020	BENCH WARRANT # 990426027 CLEARED 10/09/2020 (QUASHED)	MCS
10/09/2020	READINESS HEARING SCHEDULED FOR 01/08/2021 AT 900 IN COURTROOM 1003	MCS
10/09/2020	MASTER CALENDAR SCHEDULED FOR 01/13/2021 AT 900 IN COURTROOM 1003	MCS
10/09/2020	MASTER CALENDAR HRNG SCHDLD FOR 01/13/2021 AT 900 IN DEPT 1003, CANCELLED!	MCS
10/09/2020	MASTER CALENDAR SCHEDULED FOR 01/13/2021 AT 900 IN COURTROOM 1003	MCS
10/09/2020	TRIAL DATE CONTINUED.	MCS
10/10/2020	COURTESY NOTICE OF HEARING SENT TO ARIELLE ADAMS	B
10/10/2020	MASTER HEARING NOTICE MAILED TO [REDACTED]	B
10/27/2020	DSCP STATUS REPORT RECIEVED FORWARDED FOR JUDICIAL REVIEW. PER JUDGE CRAWFORD-WILLIS MAINTAIN DR AND FUTURE DATE.	MCS
10/29/2020	Notice of Withdrawal and Substitution of Attorney filed by Darcy Covert Rule 9 #9878377 Under the Supervision of Katharine Edwards WSBA 43093 on 10/29/20 (CS EVENT)	CXN
11/06/2020	Notice of Withdrawal and Substitution of Attorney filed by Darcy C. Covert WSBA 57137 on 11/06/20 (CS EVENT)	CXN
11/14/2020	ADMINISTRATIVE CHANGE - REFERRAL REMOVED BY SMC	JSG
11/30/2020	HEARING CANCELED DUE TO EMERGENCY COURT CLOSURE. Pursuant to GAO 2020-07 hearing to be rescheduled with notice to the defendant when the court resumes regular operations.	MXH
11/30/2020	MASTER CALENDAR HRNG SCHDLD FOR 01/13/2021 AT 900 IN DEPT 1003, CANCELLED!	MXH
11/30/2020	READINESS HEARING HRNG SCHDLD FOR 01/08/2021 AT 900 IN DEPT 1003, CANCELLED!	MXH
12/17/2020	STATUS/REVIEW REPORT RECEIVED FROM DAY REPORTING - 12/18/20 PER JUDGE ENG - DAY REPORTING IS STRICKEN EFFECTIVE JANUARY 1, 2021	RLW
04/26/2021	READINESS HEARING SCHEDULED FOR 06/01/2021 AT 1400 IN COURTROOM 1003	LXD
04/27/2021	COURTESY NOTICE OF HEARING SENT TO DARCY COVERT	B
04/27/2021	RDNSS HEARING NOTICE MAILED TO [REDACTED]	B
06/01/2021	DF: MARKHAM, CHRISTOPHER LEE (462316) DEFENDANT NOT PRESENT DL: 14:27. CLK/MCS. MCS BOTH PARTIES ANSWER READY-POSS CONT, POSS DISPO-SOFT READY.	MCS

06/01/2021	DA: COVERT, DARCY (1000013119) PRESENT	MCS
06/01/2021	MOTION HEARING SCHEDULED FOR 07/29/2021 AT 1330 IN COURTROOM 1103	MCS
06/02/2021	COURTESY NOTICE OF HEARING SENT TO DARCY COVERT	B
06/02/2021	MOTION HEARING NOTICE MAILED TO [REDACTED]	B
06/10/2021	READINESS HEARING SCHEDULED FOR 08/20/2021 AT 900 IN COURTROOM 1003	MCS
06/10/2021	MASTER CALENDAR SCHEDULED FOR 08/25/2021 AT 900 IN COURTROOM 1003	MCS
06/11/2021	COURTESY NOTICE OF HEARING SENT TO DARCY COVERT	B
06/11/2021	MASTER HEARING NOTICE MAILED TO [REDACTED]	B
07/09/2021	Defense Motion to Sever Counts Filed on 7/9/21 by Atty Darcy Covert WSBA 57137 (CS EVENT)	CXW
07/09/2021	Defense Motion to Dismiss Count Two (DWLS 3) Filed on 7/9/21 by Atty Darcy Covert WSBA 57137 (CS EVENT)	CXW
07/09/2021	Defense Motion to Dismiss Count One (DUI)/Exclude Evidence of Blood Testing Filed on 7/9/21 by Atty Darcy Covert WSBA 57137 (CS EVENT)	CXW
07/12/2021	ADMIN: MOTION TO DISMISS CT 1/EXCLUDE, MOTION TO DISMISS CT 2, MOTION TO SEVER FILED BY DFNS; ROUTED FOR JUDICIAL REVIEW	BJC
07/20/2021	Obfense Motion for Remote Witness Testimony filed by Darcy Covert WSBA 57137 on 07/19/21 (CS EVENT) ADMIN 07/20/21: ROUTED FOR JUDICIAL REVIEW. PER JUDGE CHESSE - MOTION GRANTED.	DPB
07/23/2021	Motion & Order for Continuance Filed on 7/23/21 by Atty Sarah Macdonald WSBA 52795 (CS EVENT) ADMIN 07/23/21: ROUTED FOR JUDICIAL REVIEW. ADMIN 7/26/21: PER JUDGE CHESSE, MOTION IS GRANTED IF DATE IS AVAILABLE.	KLM
07/23/2021	City's Resposne to Defendant's 3.6 Motion to Suppress Evidence Filed on 7/23/21 by Atty Sarah Macdonald WSBA 52795 (CS EVENT) ADMIN 07/23/21: ROUTED FOR JUDICIAL REVIEW.	DPB
07/23/2021	Defense Response to City's Motion to Continue Filed on 7/23/21 by Atty Darcy Covert WSBA 57137 (CS EVENT) ADMIN 07/23/21: ROUTED FOR JUDICIAL REVIEW.	DPB
07/26/2021	MOTION HEARING SCHEDULED FOR 08/19/2021 AT 1330 IN COURTROOM 902	KLM
07/26/2021	MOTION HEARING HRNG SCHDLD FOR 07/29/2021 AT 1330 IN DEPT 1103, CANCELLED!	KLM
08/11/2021	City's Response to Defendant's Motion to Dismiss Under Brady, and Request for a Frye Hearing filed by Sarah Macdonald WSBA 52795 on 08/11/21 (CS EVENT)	CXN
08/19/2021	DF: MARKHAM, CHRISTOPHER LEE (462316) DEFENDANT NOT PRESENT CLK: DPB DL: 1337 AOD: COVERT	DPB
08/19/2021	DEFENSE MOTION TO CONTINUE - CITY: SENT OTA, NEED NEW DATES. DA: NO OBJ. COURT: OTA	DPB
08/19/2021	DEFENDANT FAILED TO APPEAR FOR SCHEDULED HEARING	DPB
08/19/2021	CONTINUANCE REQUESTED BY DEFENSE PROSECUTOR OUT OF TOWN - GRANTED.	DPB
08/19/2021	ORDER TO APPEAR HEARING BY COURT SCHEDULED FOR 10/07/2021 AT 1330 IN COURTROOM 902 RDNSS 12/03/21 - 0900 - 1003 MASTER 12/07/21 - 0900 - 1003.	DPB
08/19/2021	READINESS HEARING HRNG SCHDLD FOR 12/03/2021 AT 900 IN DEPT 1003, CANCELLED!	DPB
08/20/2021	COURTESY NOTICE OF HEARING SENT TO DARCY COVERT	B
08/20/2021	OTA HEARING NOTICE MAILED TO [REDACTED]	B

08/24/2021	ORDER TO APPEAR HEARING BY COURT HRNG SCHDLD FOR 10/07/2021 AT 1330 IN DEPT 902, CANCELLED!	DPB
08/24/2021	ORDER TO APPEAR HEARING BY COURT SCHEDULED FOR 10/07/2021 AT 1330 IN COURTROOM 902	DPB
08/25/2021	COURTESY NOTICE OF HEARING SENT TO DARCY COVERT	B
08/25/2021	OTA HEARING NOTICE MAILED TO [REDACTED]	B
09/03/2021	Motion for Contempt Finding and Sanctions for WSP's Failure to Provide Records Requested in Defense's Subpoena Duces Tecum filed by Darcy Covert WSBA 57137 on 09/03/21 (CS EVENT). ROUTED TO JUDGE FOR REVIEW. .	SXK
09/09/2021	ORDER TO APPEAR HEARING BY COURT SCHEDULED FOR 10/07/2021 AT 1330 IN COURTROOM 902	SXK
09/10/2021	COURTESY NOTICE OF HEARING SENT TO DARCY COVERT	B
09/10/2021	OTA HEARING NOTICE MAILED TO [REDACTED]	B
09/13/2021	ORDER TO APPEAR HEARING BY COURT HRNG SCHDLD FOR 10/07/2021 AT 1330 IN DEPT 902, CANCELLED!	GMP
09/13/2021	ORDER TO APPEAR HEARING BY COURT SCHEDULED FOR 10/18/2021 AT 1330 IN COURTROOM 902	GMP
09/13/2021	ORDER TO APPEAR HEARING BY COURT HRNG SCHDLD FOR 10/18/2021 AT 1330 IN DEPT 902, CANCELLED!	GMP
09/13/2021	ORDER TO APPEAR HEARING BY COURT SCHEDULED FOR 10/07/2021 AT 1330 IN COURTROOM 902	GMP
10/07/2021	DF: MARKHAM, CHRISTOPHER LEE (462316) DEFENDANT NOT PRESENT DL: 13:42 CLK LJ ATTY COVERT EN BANC MOTION CONTINUED PARTIES WILL CHOSE NEW TRIAL DATES @ 10/18 MOTION HRG	LXJ
10/07/2021	DA: COVERT, DARCY (1000013119) PRESENT	LXJ
10/07/2021	AFTER 3.5/3.6 MOTION HRG ON 10/18/21 @ 1:30 PM PLEASE SET MATTER FOR EN BANC MOTION ON 1/12/22 @ 9 AM IN 902	LXJ
10/07/2021	MOTION HEARING SCHEDULED FOR 10/18/2021 AT 1330 IN COURTROOM 902	LXJ
10/13/2021	CASE ASSOCIATED TO EN BANC MOTION 660276; IN RE WASHINGTON STATE TOX LABORATORY MOTION.	TFM
10/18/2021	DF: MARKHAM, CHRISTOPHER LEE (462316) PRESENT DL: 2:10 CL:MEP	MXH
10/18/2021	DA: COVERT, DARCY (1000013119) PRESENT	MXH
10/18/2021	CITY EX #1: BODY WORN VIDEO CD (MARKED)	MXH
10/18/2021	CITY EX #2: SPD POLICE NARRATIVE (MARKED)	MXH
10/18/2021	3.6 MOTION:	MXH
10/18/2021	THOMAS HELLER (SPD OFFICER) TESTIFIED DL: 2:15-3:55	MXH
10/18/2021	CITY OFFERS CITY EXHIBIT# 1 (BODY WORN VIDEO CD) FOR PURPOSES OF 3.6 MOTION, PLAYS AT 0:00-0:15; 0:15- :50.	MXH
10/18/2021	CITY OFFERS CITY EXHIBIT# 1 (BODY WORN VIDEO CD) FOR PURPOSES OF 3.6. PLAYS 3:39-4:40.	MXH
10/18/2021	CITY OFFERS CITY EXHIBIT# 1 (BODY WORN VIDEO CD) FOR PURPOSES OF 3.6; PLAYS 7:38-9:23.	MXH
10/18/2021	CITY MOVES TO ADMIT CITY EXHIBIT# 1 (BODY WORN VIDEO CD) THE PORTIONS PLAYED FOR PURPOSES OF 3.6 MOTION, DEFENSE NO OBJECTION-GRANTED.	MXH

10/18/2021	DFNS EX #3: TRANSCRIPT OF RECORDED INTERVIEW OF OFFICER THOMAS HELLER (MARKED)	MXH
10/18/2021	DFNS EX #4: IN CAR VIDEO/BODY WORN VIDEO/DRE MANUAL CD (MARKED)	MXH
10/18/2021	DEFENSE OFFERS DEFENSE EXHIBIT# 3 (TRANSCRIPT OF RECORDED INTERVIEW OF OFFICER THOMAS HELLER) TO CITY WITNESS, FOR PURPOSES OF 3.6 MOTION.	MXH
10/18/2021	DEFENSE OFFERS DEFENSE EXHIBIT# 4 (IN CAR VIDEO/BODY WORN VIDEO/DRE MANUAL CD) TO CITY WITNESS, FOR PURPOSES OF 3.6 MOTION. PLAYS 0:00 -1:13. DEFENSE MOVES TO ADMIT, CITY NO OBJECTION- GRANTED.	MXH
10/18/2021	DEFENSE PLAYS CITY EXHIBIT# 1 (BODY WORN VIDEO CD) 0:00-:53, DEFENSE MOVES TO ADMIT-GRANTED.	MXH
10/18/2021	DFNS EX #5: SPD REPORT (MARKED)	MXH
10/18/2021	DEFENSE OFFERS DEFENSE EXHIBIT# 5 (SPD REPORT) TO CITY WITNESS	MXH
10/18/2021	DEFENSE PLAYS CITY EXHIBIT# 1 (BODY WORN VIDEO CD) 14:53-15:01; 14:53-15:01; 15:00-15:15. DEFENSE MOVES TO ADMIT FOR PURPOSES OF THIS HEARING, CITY NO OBJECTION- GRANTED.	MXH
10/18/2021	DEFENSE ARGUMENT IN SUPPORT OF 3.6 MOTION TO SUPPRESS. CITY ARGUMENT AGAINST DEFENSE 3.6 MOTION TO SUPPRESS. COURT RULING: DEFENSE MOTION DENIED.	MXH
10/18/2021	TRIAL DATES STRICKEN UNTIL AFTER EN BANC MOTION ON 1/12/22	MXH
10/18/2021	MOTION HEARING SCHEDULED FOR 01/12/2022 AT 900 IN COURTROOM 902	MXH
10/26/2021	Defense Motion for Deposition of City's Witness filed by Darcy Covert WSBA 57137 on 10/26/21 (CS EVENT) FRWRD FOR JUDICIAL REVIEW	RLW
10/26/2021	Motion and Stipulation for a Protective Order filed by Assistant City Atty Christopher T. Karr WSBA 44836 on 10/26/21 (CS EVENT) FRWRD FOR JUDICIAL REVIEW. 10/27/21 PER JUDGE EISENBERG: MOTION GRANTED-SIGNED PDF SENT VIA EMAIL TO SMC_902.	MXH
11/04/2021	Motion to Add-On Filed by Christopher T. Karr WSBA 44836 on 11/04/21 (CS EVENT)	CXN
11/05/2021	Motion to Add-On Filed by Christopher T. Karr WSBA 44836 on 11/05/21 (CS EVENT)	CXN
11/08/2021	MOTION HEARING SCHEDULED FOR 11/18/2021 AT 1330 IN COURTROOM 902	KLM
11/08/2021	MOTION HEARING HRNG SCHDLD FOR 01/12/2022 AT 900 IN DEPT 902, CANCELLED!	KLM
11/12/2021	Defense Response to City's Motion to Quash Subpoena Duces Tecum filed by Darcy Covert WSBA 57137 on 11/10/21 (CS EVENT)	CXN
11/16/2021	WASHINGTON STATE PATROL'S RESPONSE TO MOTION FOR CONTEMPT FILED BY SHELLEY WILLIAMS WSBA 37035 ON 11/15/21 (CS EVENT)	CXN
11/17/2021	Motion and Stipulation for a Protective Order filed by Darcy Covert WSBA 57137 on 11/17/21 (CS EVENT) ROUTED TO JUDGE FOR REVIEW.	MXH
11/18/2021	Defense Reply to City's Response to Defense's Motion for Deposition of Brianna Peterson filed by Darcy Covert WSBA 57137 on 11/18/21 (CS EVENT)	CXN
11/18/2021	Defense Reply to City's Response to Defense's Motion for Deposition of Brianna Peterson filed by Darcy Covert WSBA 57137 on 11/18/21 (CS EVENT)	CXN
11/18/2021	DF: MARKHAM, CHRISTOPHER LEE (462316) DEFENDANT NOT PRESENT DL: 13:52 CLK LJ ATTY COVERT MATTER HEARD WITH 660276 TOX LAB MOTION	LXJ
11/18/2021	DA: COVERT, DARCY (1000013119) PRESENT	LXJ
11/18/2021	PRELIMINARY MOTION HEARING TO DISCUSS EN BUNC MOTION TO BE HEARD ON 1/12/22 @ 9 AM IN 902.	LXJ
11/18/2021	MOTION HEARING SCHEDULED FOR 01/12/2022 AT 900 IN COURTROOM 902	LXJ

11/19/2021	COURTESY NOTICE OF HEARING SENT TO DARCY COVERT	B
11/19/2021	MOTION HEARING NOTICE MAILED TO [REDACTED]	B
11/24/2021	Agreed Motion and Proposed Order for Clarification regarding Deposition of Brianna Peterson Filed on 11/24/21. FWDED TO JUDGE FOR REVIEW. SIGNED AGREED MOTION AND PROPOSED ORDER FILED IN ECF ON 11/24/21.	KLM
12/14/2021	WASHINGTON STATE PATROL'S MOTION TO SEAL OR REDACT DEATH INVESTIGATION CASE FILES FILED ON 12/13/21 (CS EVENT)	CXN
12/20/2021	WSP'S SUPPLEMENTAL MOTION TO SEAL OR REDACT DEATH INVESTIGATION CASE FILES FILED ON 12/17/21 (CS EVENT) ROUTED FOR JUDICIAL REVIEW. PER JUDGE EISENBERG NO ACTION NECESSARY AT THIS TIME	SXK
12/22/2021	REDACTED DEATH INVESTIGATION CASE FILES FILED BY ASSISTANT ATTORNEY GENERAL SHELLEY WILLIAMS WSBA 37035 ON 12/20/21 (CS EVENT)	CXN
12/28/2021	CITY'S RESPONSE TO DEFENSE MOTION TO COMPEL DEPOSITION FILED ON 12/28/21 BY ATTY JACOB WILLARD WSBA 54307 (CS EVENT)	CXW
12/30/2021	DEFENSE WITNESS LIST AND ER 904 DOCUMENT DISCLOSURE FILED ON 12/30/21 BY ATTY DARCY COVERT WSBA 57137 (CS EVENT)	CXW
01/06/2022	MOTION FOR LEAVE TO SUPPLEMENT AMICUS CURIAE BRIEF OF BRIANNA PETERSON; SUPPLEMENT TO AMICUS CURIAE BRIEF OF BRIANNA PETERSON FILED ON 1/6/22 BY ATTY DOUGLAS P. RUTH WSBA 25498 (CS EVENT) (CS EVENT) FWDED FOR JUDICIAL REVIEW.	LXD
01/06/2022	ADMIN: PER JUDGE EISENBERG, COURT GRANTED MOTION UNDER 660276 EN BANC CASE. NO ACTION NECESSARY UNDER THIS CASE NUMBER.	LXD
01/12/2022	DF: MARKHAM, CHRISTOPHER LEE (462316) DEFENDANT NOT PRESENT. CLK KLM DL 0909. EN BANC MOTION PROCEEDING ON CASE NUMBER 660276.	KLM
01/12/2022	DA: COVERT, DARCY (1000013119) PRESENT	KLM
01/12/2022	MOTION ADJOURNED FOR THE DAY. MOTION CONTINUED TO 1/13/22.	KLM
01/13/2022	MOTION HEARING SCHEDULED FOR 01/13/2022 AT 900 IN COURTROOM 902	KLM
01/13/2022	DF: MARKHAM, CHRISTOPHER LEE (462316) DEF NOT PRESENT CLK KLM DL 0907. EN BANC MOTION PROCEEDING ON CASE NUMBER 660276.	KLM
01/13/2022	DA: COVERT, DARCY (1000013119) PRESENT	KLM
01/13/2022	MOTION ADJOURNED FOR THE DAY. MOTION CONTINUED TO 1/14/22.	KLM
01/14/2022	MOTION HEARING SCHEDULED FOR 01/14/2022 AT 900 IN COURTROOM 902	KLM
01/14/2022	DF: MARKHAM, CHRISTOPHER LEE (462316) DEFENDANT NOT PRESENT. CLK KLM DL 9:02, 11:18, 11:21. EN BANC MOTION PROCEEDING ON CASE 660276. DEF'S PRESENCE IS WAIVED. SEND OTA. DEF IS NOT MRA.	KLM
01/14/2022	DA: COVERT, DARCY (1000013119) PRESENT	KLM
01/14/2022	READINESS HEARING SCHEDULED FOR 02/04/2022 AT 900 IN COURTROOM 1003	KLM
01/14/2022	MASTER CALENDAR SCHEDULED FOR 02/08/2022 AT 900 IN COURTROOM 1003	KLM
01/15/2022	COURTESY NOTICE OF HEARING SENT TO DARCY COVERT	B
01/15/2022	MASTER HEARING NOTICE MAILED TO [REDACTED]	B
02/04/2022	DF: MARKHAM, CHRISTOPHER LEE (462316) DEFENDANT NOT PRESENT. CLK KLM DL 1003. DFNS MTN TO CONTINUE-RSVD. LISTED FOR CONTINUANCE.	KLM
02/08/2022	DF: MARKHAM, CHRISTOPHER LEE (462316) DEFENDANT NOT PRESENT	MCS

02/08/2022 DA: COVERT, DARCY (1000013119) PRESENT	MCS
02/08/2022 DL: 09:40. CLK/MCS. DEF WAIVES PRESENCE PER 3.4. DFNS MOTION FOR 1 WEEK CONTINUANCE-GRANTED. JUDGE GREGORY AUTHORIZED THE OVER SET.	MCS
02/08/2022 READINESS HEARING SCHEDULED FOR 02/11/2022 AT 900 IN COURTROOM 1003	MCS
02/08/2022 MASTER CALENDAR SCHEDULED FOR 02/15/2022 AT 900 IN COURTROOM 1003	MCS
02/09/2022 UNABLE TO GENERATE NOTICE NO ATTY/ADDR ON FILE	B
02/09/2022 MASTER HEARING NOTICE MAILED TO 1210 15 ST APT 1 ANACORTES, WA 98221	B

Accounting Summary

Post Date	Bail Amount	Type	Paid	Method	Status	DC	Posted By
02/03/2020	1,000.00	BOND	-1,000.00	PC	R		
02/03/2020	1,000.00	BOND	1,000.00	PC	R		
04/23/2019	1,000.00	BOND	1,000.00	PC	R		
11/28/2018	1,000.00	BAIL	1,000.00	BO	E		ALADDIN BAIL BONDS

Charge Sequence Number	Obl Type	Original Obl Amount	Obl Balance Due	Time Pay Status
	BALW	1,500.00	1,500.00	
		Total Owed:	\$1,500.00	

Addendum B

MUNICIPAL COURT OF SEATTLE DOCKET

READINESS HEARING

Next Hearing: 03/11/2022 09:00 AM

Courtroom: 1003

Case Number: 645399 Case Status: OPEN

Expiration Date: 04/12/2022

Plaintiff: City of Seattle

** DRIVING WHILE INTOXICATED **

Vs.

Defendant: WINTERS, PAUL J

Address:

Collections:

Phone:

Date of Birth:

Age: 56

Sex: Male

Defendant Number: 1732938

Race: W

Language:

Incident Number: 18-275082

Custody: Out

Sentencing Judge:

Related Group number:

Prosecutor:

Co-Defendants:

Defense Attorney: MASHON, MADELEINE

Agency: NDD

Phone:

Interpreter:

Charges

Chrg Doc No: 60645399

Type: CS

Violation Date: 07/25/2018

Filing Date: 08/29/2019

Charge 1 PRSNS UNDER THE INFLUENCE OF INTOXICANTS/DRUGS

11.56.020

Plea: NG

Finding:

Status: PN

Disposition: PENDING

Charge Obligations

BAIL - BAIL NOT FORFEITABLE

LXJ

Start: 08/29/2019

Due: 08/29/2019

End: 09/12/2019

FTA WARRANT ISSUED

Amount \$1,000.00

Susp: \$0.00

Curr: \$0.00

Other Case Obligations

BALW - BAIL ON A WARRANT

LXD

Start: 09/12/2019

Due:

End: 10/02/2019

APPEARED IN COURT

Amount \$5,000.00

Susp:

Curr: \$0.00

BALW - BAIL ON A WARRANT

KLM

Start: 10/11/2019

Due:

End: 10/25/2019

APPEARED IN COURT

Amount \$7,500.00

Susp:

Curr: \$0.00

SCHED BWADD FOR DEF AT WIN 4, DATE IN HAND, BT 101519

CORS - CONDITIONS OF RELEASE

LXD

Start: 10/02/2019

Due: 10/02/2020

End:

10/2/19: NCLV NARO NDRO ABST MARJ NVOI DONT RDUU THRU DSCP CADD CONT

DSCP - DAY SERVICE CENTER PRE ADJUDICATION

KLM

Start: 10/25/2019

Due: 12/31/2019

End:

10/25/19: RANDOM UA

RDUU - RANDOM UA TESTS

MSP

Start: 08/04/2020

Due: 05/07/2022

End:

RDUU - RANDOM UA TESTS

KLM

Start: 10/02/2019

Due: 10/02/2020

End: 10/14/2019

STRICKEN

10/2/19: RDUU"S THRU DSCP

Warrants

Warrant Number	Issued	Served	Warrant Type	Clearance Type	Remarks
990421052	09/12/2019	10/02/2019	BENCH WARRANT	QUASHED	NO PR DEF FTA DUIOCA
Reasons: FAILURE TO APPEAR FOR DUI OUT OF CUSTODY ARR					
Restrictions: NO PR DEF FTA DUIOCA					
Judge: MELANIE TRATNIK					
990421726	10/11/2019	10/25/2019	BENCH WARRANT	QUASHED	NO PR FTR DSCP
Reasons: FAIL TO COMPLY WITH DAY REPORTING					
Restrictions: NO PR FTR DSCP					
Judge: WILLIE GREGORY					

Hearings

Status	Time	Courtroom	Type	Judge	Prosecutor	Date	Clerk
W	09/12/2019 01:30 PM	1102	DUIOCA	TRATNIK, M	WERNER	08/29/2019	CXL
C	09/25/2019 01:30 PM	302	BWADD			09/18/2019	NDW
H	10/02/2019 01:30 PM	302	BWADD	CHIN, A	BOWE	09/18/2019	NDW
H	10/25/2019 09:00 AM	1101	BWADD	GREGORY, W	SLIVA	10/15/2019	BXT
C	11/04/2019 01:30 PM	1101	DUIPTH			10/02/2019	LXD
H	11/18/2019 01:30 PM	1101	DUIPTH	GREGORY, W	GEORGIEVA	10/25/2019	KLM
H	01/06/2020 01:30 PM	1101	DUIPTH	GREGORY, W	SRA	11/18/2019	TTC
H	02/24/2020 02:00 PM	1101	DUIPTH	GREGORY, W	SARGENT	01/06/2020	KLM
C	04/06/2020 01:30 PM	1101	DUIPTH	NIESEN, S	SARRAFAN	02/24/2020	MXH
C	04/06/2020 02:00 PM	1101	DUIPTH			02/24/2020	KLM
C	05/26/2020 02:00 PM	1101	DUIPTH	NIESEN, S	SARRAFAN	03/31/2020	KLM
H	08/04/2020 10:30 AM	1102	DUIPTH	CHESS, F	OKADA	06/26/2020	LXD
H	10/16/2020 09:00 AM	1003	RDNSS	GREGORY, W	MALCOLM	08/04/2020	MCS
H	10/21/2020 09:00 AM	1003	MASTER	GREGORY, W	OKADA	08/04/2020	MCS
C	01/08/2021 09:00 AM	1003	RDNSS			10/21/2020	MCS
C	01/13/2021 09:00 AM	1003	MASTER			10/21/2020	MCS
H	03/16/2021 01:30 PM	1003	MOTION	MCDOWALL, C	RICHARDSON	02/18/2021	MCS
C	05/21/2021 09:00 AM	1003	RDNSS			03/16/2021	BJC
H	06/02/2021 01:30 PM	1003	RDNSS	GREGORY, W	MALCOLM	04/26/2021	LXD
H	07/30/2021 09:00 AM	1003	RDNSS	GREGORY, W	MALCOLM	06/09/2021	MCS
C	08/04/2021 09:00 AM	1003	MASTER			06/09/2021	MCS
H	10/08/2021 09:00 AM	1003	RDNSS	EISENBERG, A	KARR	07/30/2021	MCS
H	10/12/2021 09:00 AM	1003	MASTER	GREGORY, W	OKADA	08/01/2021	TFM
C	10/13/2021 09:00 AM	1003	MASTER			07/30/2021	MCS
H	01/12/2022 09:00 AM	902	MOTION	EISENBERG, A	OUTLAND	10/12/2021	KLM
H	01/13/2022 09:00 AM	902	MOTION	EISENBERG, A	OUTLAND	01/13/2022	KLM
H	01/14/2022 09:00 AM	902	MOTION	MCDOWALL, C	KARR	01/14/2022	KLM
A	03/11/2022 09:00 AM	1003	RDNSS			01/14/2022	KLM
A	03/15/2022 09:00 AM	1003	MASTER			01/14/2022	KLM

Events

Date	Description	Clerk
08/29/2019	CHARGE(S) FILED	CXL
08/29/2019	DUI OUT OF CUSTODY ARRAIGNMENT SCHEDULED FOR 09/12/2019 AT 1330 IN COURTROOM 1102	CXL
08/30/2019	DUIOCA HEARING NOTICE MAILED TO 5231 25TH AV SW #2-203 FEDERAL WAY, WA 98023 NOTICE RTND W/FWD ADDR. ADDR UPDTD. NOTICE NOT MAILED AGAIN, NOT ENOUGH TIME BEFORE HEARING. 09/09/19 BXT	BXT
08/30/2019	DUIOCA HEARING NOTICE MAILED TO 35411 25 AV SW 2 203 FEDERAL WAY, WA 98023 NOTICE RTND W/FWD ADDR. ADDR UPDTD. NOTICE NOT MAILED AGAIN, NOT ENOUGH TIME BEFORE HEARING. 09/09/19 BXT	BXT
08/30/2019	DUIOCA HEARING NOTICE MAILED TO [REDACTED]	B
09/12/2019	DF: WINTERS, PAUL J (1732938) DEFENDANT NOT PRESENT DL: 15:09 CLK LJ COURT NOTES FTA AND ISSUES BW	LXJ
09/12/2019	Probable cause found by the court after reviewing incident number 18275082	LXJ

09/12/2019 BENCH WARRANT # 990421052 ISSUED 09/12/2019	LXJ
09/12/2019 DEF NOT CURRENTLY HELD IN KCCS PER CM ON 9/12/19.	LXJ
09/18/2019 BENCH WARRANT ADD ON CALENDAR SCHEDULED FOR 09/25/2019 AT 1330 IN COURTROOM 302	NDW
09/18/2019 BENCH WARRANT ADD ON CALENDAR SCHEDULED FOR 10/02/2019 AT 1330 IN COURTROOM 302	NDW
09/18/2019 BENCH WARRANT ADD ON CALENDAR HRNG SCHDLD FOR 09/25/2019 AT 1330 IN DEPT 302, CANCELLED!	NDW
09/19/2019 UNABLE TO GENERATE NOTICE NO ATTY/ADDR ON FILE	B
09/19/2019 BWADD HEARING NOTICE MAILED TO [REDACTED]	B
09/27/2019 LICENSE HOLD NOTICE SENT TO DOL	B
10/02/2019 DF: WINTERS, PAUL J (1732938) PRESENT DL: 1408, 1423 CL: LD AOD: GADD DFNS MOTION TO QUASH BENCH WARRANT - GRANTED	LXD
10/02/2019 CASE REFERRED TO DPD	LXD
10/02/2019 BENCH WARRANT # 990421052 CLEARED 10/02/2019 (QUASHED)	LXD
10/02/2019 DEFENDANT ARRAIGNED DFNS STIPULATES TO NAME AND DOB	LXD
10/02/2019 CHARGE # 1 115602000 (D.U.I.) NOT GUILTY PLEA ENTERED	LXD
10/02/2019 DA MOTION FOR RELEASE - GRANTED PA MOTION FOR BAIL SET AT \$3,000 - DENIED	LXD
10/02/2019 PR GRANTED BY COURT	LXD
10/02/2019 DUI PRETRIAL HEARING SCHEDULED FOR 11/04/2019 AT 1330 IN COURTROOM 1101	LXD
10/02/2019 CASE RELEASED TO DPD	BCO
10/02/2019 DEFENDANT SCREENED - PROMISSORY NOTE SIGNED	BCO
10/02/2019 NOTICE TO CLEAR HOLD SENT TO DOL	B
10/03/2019 NOTICE OF APPEARANCE FILED BY ATTORNEY SOMERSTEIN, LESLIE - WSBA 42861	CXN
10/11/2019 PER JUDGE GREGORY, FTR DAY REPORTING. BW7,500, NO PR, STRIKE DAY REPORTING. NOTIFICATION OF PROBATION VIOLATION DAY REPORTING ECF FILE DATE 10/10/19.	KLM
10/14/2019 DEF NOT CURRENTLY HELD IN KCCS PER BAILIFF WK	KLM
10/14/2019 BENCH WARRANT # 990421726 ISSUED 10/11/2019	KLM
10/15/2019 BENCH WARRANT ADD ON CALENDAR SCHEDULED FOR 10/25/2019 AT 900 IN COURTROOM 1101	BXT
10/15/2019 DUI PRETRIAL HEARING HRNG SCHDLD FOR 11/04/2019 AT 1330 IN DEPT 1101, CANCELLED!	BXT
10/16/2019 COURTESY NOTICE OF HEARING SENT TO LESLIE SOMERSTEIN	B
10/16/2019 BWADD HEARING NOTICE MAILED TO [REDACTED]	B
10/25/2019 DF: WINTERS, PAUL J (1732938) PRESENT CLK KLM DL 0951. DFNS MTN TO QUASH BENCH WARRANT- GRANTED.	KLM
10/25/2019 DA: SOMERSTEIN, LESLIE (1000011895) PRESENT	KLM
10/25/2019 BENCH WARRANT # 990421726 CLEARED 10/25/2019 (QUASHED)	KLM

10/25/2019 CONDITIONS OF CONDUCT FOR DAY REPORTING S/F	KLM
10/25/2019 DUI PRETRIAL HEARING SCHEDULED FOR 11/18/2019 AT 1330 IN COURTROOM 1101	KLM
11/18/2019 DAY REPORTING STATUS REPORT ECF FILE DATE 11/18/19 DEFT REPORTED FOR ALL ASSIGNED TESTING DAYS, AND ALL UA HAVE RETURNED NEGATIVE	KLM
11/18/2019 DF: WINTERS, PAUL J (1732938) PRESENT DL 1443 CLK TC	TTC
11/18/2019 DA: SOMERSTEIN, LESLIE (1000011895) PRESENT	TTC
11/18/2019 CONTINUANCE REQUESTED BY DEFENSE - DISCOVERY - GRANTED	TTC
11/18/2019 SPEEDY TRIAL RULE WAIVER FILED NEW COMM 11/18/2019 NEW EXP 02/18/2020	TTC
11/18/2019 DUI PRETRIAL HEARING SCHEDULED FOR 01/06/2020 AT 1330 IN COURTROOM 1101	TTC
01/06/2020 DAY REPORTING STATUS ECF FILE DATE 1/3/20 REPORT ROUTED TO COURTROOM 1101 FOR KLM REVIEW	KLM
01/06/2020 DF: WINTERS, PAUL J (1732938) PRESENT CLK KLM DL 1425. DFNS MTN TO STRIKE RANDOM UA-DENIED.	KLM
01/06/2020 DA: SOMERSTEIN, LESLIE (1000011895) PRESENT	KLM
01/06/2020 CONTINUANCE REQUESTED BY DEFENSE-CONSULT WITH CLIENT- GRANTED.	KLM
01/06/2020 SPEEDY TRIAL RULE WAIVER FILED NEW EXP DATE 5/5/20 DAYS	KLM
01/06/2020 DUI PRETRIAL HEARING SCHEDULED FOR 02/24/2020 AT 1400 IN COURTROOM 1101	KLM
02/07/2020 NOTIFICATION OF PROBATION VIOLATION DAY REPORTING ECF FILE DATE 02/06/20 ROUTED TO COURTROOM 1101 FOR REVIEW	KLM
02/10/2020 PER JUDGE GREGORY, ADDRESS ABSTAIN ALLEGATION AT UPCOMING HEARING. DAY REPORTING STATUS VIOLATION LETTER ECF FILE DATE 02/06/20.	KLM
02/24/2020 DF: WINTERS, PAUL J (1732938) PRESENT CLK KLM DL 1445. FTC DSCP-DENIED. PER THE COURT, ALLEG IS FOUND. CITY WILL TAKE NO ACTION. DEFT REFERRED TO DAY REPORTING TO DO A UA TODAY.	KLM
02/24/2020 DA: SOMERSTEIN, LESLIE (1000011895) PRESENT	KLM
02/24/2020 CONTINUANCE REQUESTED BY DEFENSE-INVESTIGATION-GRANTED	KLM
02/24/2020 SPEEDY TRIAL RULE WAIVER FILED NEW EXP DATE 5/26/20 DAYS	KLM
02/24/2020 DUI PRETRIAL HEARING SCHEDULED FOR 04/06/2020 AT 1400 IN COURTROOM 1101	KLM
02/24/2020 DUI PRETRIAL HEARING SCHEDULED FOR 04/06/2020 AT 1330 IN COURTROOM 1101	MXH
02/24/2020 DUI PRETRIAL HEARING HRNG SCHDLD FOR 04/06/2020 AT 1400 IN DEPT 1101, CANCELLED!	MXH
02/24/2020 HEARING TIME CHANGED DUE TO CALENDAR CHANGE	MXH
02/25/2020 COURTESY NOTICE OF HEARING SENT TO LESLIE SOMERSTEIN	B
02/25/2020 DUIPTH HEARING NOTICE MAILED TO [REDACTED]	B
03/31/2020 DUI PRETRIAL HEARING SCHEDULED FOR 05/26/2020 AT 1400 IN COURTROOM 1101	KLM
03/31/2020 DUI PRETRIAL HEARING HRNG SCHDLD FOR 04/06/2020 AT 1330 IN DEPT 1101, CANCELLED!	KLM
04/01/2020 COURTESY NOTICE OF HEARING SENT TO LESLIE SOMERSTEIN	B

04/01/2020	DUIPTH HEARING NOTICE MAILED TO [REDACTED]	B
04/06/2020	HRG CONTINUED PURSUANT TO GAO 2020-06. CONTINUANCE SHALL CONSTITUTE AN EXCLUDED PERIOD FOR PURPOSES OF SPEEDY TRIAL, CRRLJ 3.3, CRRLJ 4.1, IRLJ 2.2, IRLJ 2.4, IRLJ 2.6, AND ANY OTHER APPLICABLE COURT RULE	KLM
04/24/2020	HEARING CANCELED DUE TO EMERGENCY COURT CLOSURE. Pursuant to GAO 2020-07 hearing to be rescheduled with notice to the defendant when the court resumes regular operations.	KLM
04/24/2020	DUI PRETRIAL HEARING HRNG SCHDLD FOR 05/26/2020 AT 1400 IN DEPT 1101, CANCELLED!	KLM
06/26/2020	DUI PRETRIAL HEARING SCHEDULED FOR 08/04/2020 AT 1030 IN COURTROOM 1102	LXD
06/27/2020	COURTESY NOTICE OF HEARING SENT TO LESLIE SOMERSTEIN	B
06/27/2020	DUIPTH HEARING NOTICE MAILED TO [REDACTED]	B
08/03/2020	STATUS/REVIEW REPORT RECEIVED FROM DAY REPORTING, DF IN COMPLIANCE; HRG TOMORROW, FORWARDED TO CASE FILE	BJC
08/04/2020	DF: WINTERS, PAUL J (1732938) PRESENT DL: 10:27. CLK/CJ. ENTRY/MCS. DA WHYTE FOR AOR. TRAIL SETTING: SEE PRETRIAL ORDER FOR NOTED MOTIONS & RULINGS. PARTIES REQUEST OVERSET TO AN EARLIER TRIAL DATE-AUTHORIZED BY JUDGE EISENBERG. DEF NOT MRA.	MCS
08/04/2020	MOTIONS RESERVED TO DAY OF TRIAL. DEFENSE DECLARATION IN SUPPORT OF PROPOSED MOTION FILED W/THE COURT.	MCS
08/04/2020	READINESS HEARING SCHEDULED FOR 10/16/2020 AT 900 IN COURTROOM 1003	MCS
08/04/2020	MASTER CALENDAR SCHEDULED FOR 10/21/2020 AT 900 IN COURTROOM 1003	MCS
08/05/2020	COURTESY NOTICE OF HEARING SENT TO LESLIE SOMERSTEIN	B
08/05/2020	MASTER HEARING NOTICE MAILED TO [REDACTED]	B
09/09/2020	NOTICE OF APPEARANCE FILED BY ATTORNEY MASHON, MADELEINE - WSBA 56934	CXN
10/02/2020	3.6 Motion to Suppress filed by Madeleine Mashon WSBA 56934 on 10/02/20. FORWARDED FOR JUDICIAL REVIEW. 10/06/20: PER THE COURT RESERVE TO TRAIL COURT NO MOTION DATES AVAILABLE.	MCS
10/15/2020	City's Response to Defendant's Motion to Suppress Evidence filed by Assistant City Prosecutor Jamie L. Richardson WSBA 54199 on 10/14/20 (CS EVENT)	CXN
10/16/2020	STATUS/REVIEW REPORT SUBMITTED BY DAY REPORTING/ ECF FILE DATE 10/16/20. DEF IN FULL COMPLIANCE AND NO CRIMINAL LAW VIOLATIONS.	MCS
10/16/2020	DF: WINTERS, PAUL J (1732938) DEFENDANT NOT PRESENT DL: 09:50. CLK/MCS. DA A.CHAVEZ FOR AOR. LISTED FOR CONTINUANCE.	MCS
10/21/2020	DF: WINTERS, PAUL J (1732938) PRESENT DL: 09:40. CLK/MCS. DA STORMS FOR AOR. TRAIL DATE CONTINUED. DEF IS NOT MRA.	MCS
10/21/2020	SPEEDY TRIAL RULE WAIVER FILED NEW COMM 11/15/20 AND NEW EXP 02/13/2021.	MCS
10/21/2020	READINESS HEARING SCHEDULED FOR 01/08/2021 AT 900 IN COURTROOM 1003	MCS
10/21/2020	MASTER CALENDAR SCHEDULED FOR 01/13/2021 AT 900 IN COURTROOM 1003	MCS
10/22/2020	COURTESY NOTICE OF HEARING SENT TO MADELEINE MASHON	B
10/22/2020	MASTER HEARING NOTICE MAILED TO [REDACTED]	B
11/14/2020	ADMINISTRATIVE CHANGE - REFERRAL REMOVED BY SMC	JSG
11/30/2020	HEARING CANCELED DUE TO EMERGENCY COURT CLOSURE. Pursuant to GAO 2020-07 hearing to be rescheduled with notice to the defendant when the court resumes regular operations.	MXH

11/30/2020 MASTER CALENDAR HRNG SCHDLD FOR 01/13/2021 AT 900 IN DEPT 1003, CANCELLED!	MXH
11/30/2020 READINESS HEARING HRNG SCHDLD FOR 01/08/2021 AT 900 IN DEPT 1003, CANCELLED!	MXH
02/17/2021 Motion to Add-on for 3.6 Motion Hearing Filed on 2/17/21 by Atty Madeleine Mashon WSBA 56934. FORWARDED FOR JUDICIAL REVIEW. 02/17/21: PER JUDGE CRAWFORD-WILLIS SET FOR MOTION HEARING AFTER 03/09/21- GRANTED.	MCS
02/18/2021 MOTION HEARING SCHEDULED FOR 03/16/2021 AT 1330 IN COURTROOM 1003	MCS
02/19/2021 COURTESY NOTICE OF HEARING SENT TO MADELEINE MASHON	B
02/19/2021 MOTION HEARING NOTICE MAILED TO [REDACTED]	B
03/01/2021 NOTICE MAILED TO LAST KNOWN ADDRESS (CS EVENT)	EXR
03/15/2021 STATUS/REVIEW REPORT SUBMITTED BY DAY REPORTING, A RECORDS CHECK CONDUCTED MCS ON 03/15/2021, DISCLOSED NO NEW CRIMINAL LAW VIOLATIONS. ECF FILE DATE 03/15/2021.	MCS
03/15/2021 Stipulation Between Parties Filed on 3/15/21 by Atty Madeleine Mashon WSBA 56934 (CS EVENT)	CXW
03/16/2021 DF: WINTERS, PAUL J (1732938) PRESENT DL 1407 CLK AM	BJC
03/16/2021 DA: MASHON, MADELEINE (1000013105) PRESENT	BJC
03/16/2021 PARTIES SETTLE ON AN AGREED STIPULATION TO EXCLUDE EVIDENCE FROM OFFR AUDERER'S SEARCH OF VEHICLE	BJC
03/16/2021 DFNS MOTION TO SUPPERSS BLOOD ANALYSIS DUE TO NO PC OF DUI - DENIED	BJC
03/16/2021 READINESS HEARING SCHEDULED FOR 05/21/2021 AT 900 IN COURTROOM 1003	BJC
03/16/2021 READINESS HEARING HRNG SCHDLD FOR 05/21/2021 AT 900 IN DEPT 1003, CANCELLED!	BJC
03/16/2021 HEARING CANCELED DUE TO EMERGENCY COURT CLOSURE. Pursuant to GAO 2020-07 hearing to be rescheduled with notice to the defendant when the court resumes regular operations.	BJC
04/26/2021 READINESS HEARING SCHEDULED FOR 06/02/2021 AT 1330 IN COURTROOM 1003	LXD
04/27/2021 COURTESY NOTICE OF HEARING SENT TO MADELEINE MASHON	B
04/27/2021 RDNSS HEARING NOTICE MAILED TO [REDACTED]	B
06/02/2021 STATUS/REVIEW REPORT RECEIVED FROM DSC B.OLSON DEF IN COMPLIANCE	CHT
06/02/2021 DF: WINTERS, PAUL J (1732938) DEFENDANT NOT PRESENT DL: 14:14. CLK/MCS. BOTH PARTIES ANSWER READY.	MCS
06/02/2021 DA: MASHON, MADELEINE (1000013105) PRESENT	MCS
06/09/2021 READINESS HEARING SCHEDULED FOR 07/30/2021 AT 900 IN COURTROOM 1003	MCS
06/09/2021 MASTER CALENDAR SCHEDULED FOR 08/04/2021 AT 900 IN COURTROOM 1003	MCS
06/10/2021 COURTESY NOTICE OF HEARING SENT TO CLARE RIVA	B
06/10/2021 MASTER HEARING NOTICE MAILED TO [REDACTED]	B
07/30/2021 DF: WINTERS, PAUL J (1732938) DEFENDANT NOT PRESENT DL: 10:07/10:18. CLK/MCS. DA WINTER FOR AOR. TRAIL DATE CONTINUED.	MCS
07/30/2021 SPEEDY TRIAL RULE WAIVER FILED NEW COMM 10/08/2021 AND NEW EXP 01/06/2022.	MCS
07/30/2021 READINESS HEARING SCHEDULED FOR 10/08/2021 AT 900 IN COURTROOM 1003	MCS

07/30/2021	MASTER CALENDAR SCHEDULED FOR 10/13/2021 AT 900 IN COURTROOM 1003	MCS
07/30/2021	MASTER CALENDAR HRNG SCHDLD FOR 08/04/2021 AT 900 IN DEPT 1003, CANCELLED!	MCS
07/31/2021	COURTESY NOTICE OF HEARING SENT TO MADELEINE MASHON	B
07/31/2021	MASTER HEARING NOTICE MAILED TO [REDACTED]	B
08/01/2021	MASTER CALENDAR SCHEDULED FOR 10/12/2021 AT 900 IN COURTROOM 1003	TFM
08/01/2021	READINESS HEARING HRNG SCHDLD FOR 10/08/2021 AT 900 IN DEPT 1003, CANCELLED!	TFM
08/01/2021	MASTER CALENDAR HRNG SCHDLD FOR 10/13/2021 AT 900 IN DEPT 1003, CANCELLED!	TFM
08/02/2021	COURTESY NOTICE OF HEARING SENT TO MADELEINE MASHON	B
08/02/2021	MASTER HEARING NOTICE MAILED TO [REDACTED]	B
10/08/2021	DF: WINTERS, PAUL J (1732938) DEFENDANT NOT PRESENT CLK KLM DL 1005. LISTED FOR CONTINUANCE.	KLM
10/08/2021	DA: MASHON, MADELEINE (1000013105) PRESENT	KLM
10/08/2021	DAY REPORTING STATUS ECF FILE DATE 10/7/21. ON 10/25/2019, MR. WINTERS WAS REFERRED TO PTS. AS OF 10/7/2021, UA TESTING THROUGH PRETRIAL SERVICES REMAINS SUSPENDED DUE TO COVID-19 PRECAUTIONS. A RECORDS CHECK CONDUCTED ON 10/7/2021, DISCLOSED NO NCLV.	KLM
10/12/2021	DF: WINTERS, PAUL J (1732938) DEFENDANT NOT PRESENT CLK KLM DL 1035. ORDER CONTINUING TRIAL S/F. PARTIES TO SET TRIAL DATE AFTER 1/12/2022 MOTION HRG.	KLM
10/12/2021	SPEEDY TRIAL RULE WAIVER FILED NEW COMM DATE 1/12/22. NEW EXP DATE 4/12/2022. DAYS	KLM
10/12/2021	DA: MASHON, MADELEINE (1000013105) PRESENT	KLM
10/12/2021	MOTION HEARING SCHEDULED FOR 01/12/2022 AT 900 IN COURTROOM 902	KLM
10/13/2021	COURTESY NOTICE OF HEARING SENT TO MADELEINE MASHON	B
10/13/2021	MOTION HEARING NOTICE MAILED TO [REDACTED]	B
10/13/2021	CASE ASSOCIATED TO EN BANC MOTION 660276; IN RE WASHINGTON STATE TOX LABORATORY MOTION.	TFM
12/28/2021	CITY'S RESPONSE TO DEFENSE MOTION TO COMPEL DEPOSITION FILED ON 12/28/21 BY ATTY JACOB WILLARD WSBA 54307 (CS EVENT)	CXW
12/30/2021	DEFENSE WITNESS LIST AND ER 904 DOCUMENT DISCLOSURE FILED ON 12/30/21 BY ATTY DARCY COVERT WSBA 57137 (CS EVENT)	CXW
01/06/2022	MOTION FOR LEAVE TO SUPPLEMENT AMICUS CURIAE BRIEF OF BRIANNA PETERSON; SUPPLEMENT TO AMICUS CURIAE BRIEF OF BRIANNA PETERSON FILED ON 1/6/22 BY ATTY DOUGLAS P. RUTH WSBA 25498 (CS EVENT) (CS EVENT) FWDED FOR JUDICIAL REVIEW.	LXD
01/06/2022	ADMIN: PER JUDGE EISENBERG, COURT GRANTED MOTION UNDER 660276 EN BANC CASE. NO ACTION NECESSARY UNDER THIS CASE NUMBER.	LXD
01/11/2022	STATUS REPORT RECEIVED FROM PROBATION SERVICES DEPARTMENT	LXD
01/11/2022	STATUS/REVIEW REPORT RECEIVED FROM PRETRIAL SERVICES. DEF REFERRED TO PTS FOR RDUAS; RDUAS CONTINUE TO BE SUSPENDED DUE TO COVID PRECAUTIONS.	LXD
01/12/2022	DF: WINTERS, PAUL J (1732938) DEFENDANT NOT PRESENT CLK KLM DL 0909. EN BANC MOTION PROCEEDING ON CASE NUMBER 660276.	KLM
01/12/2022	DA: MASHON, MADELEINE (1000013105) PRESENT	KLM

01/12/2022 MOTION ADJOURNED FOR THE DAY. MOTION CONTINUED TO 1/13/22.	KLM
01/13/2022 MOTION HEARING SCHEDULED FOR 01/13/2022 AT 900 IN COURTROOM 902	KLM
01/13/2022 DF: WINTERS, PAUL J (1732938) DEFENDANT NOT PRESENT CLK KLM DL 0907. EN BANC MOTION PROCEEDING ON CASE NUMBER 660276.	KLM
01/13/2022 DA: MASHON, MADELEINE (1000013105) PRESENT	KLM
01/13/2022 MOTION ADJOURNED FOR THE DAY. MOTION CONTINUED TO 1/14/22.	KLM
01/14/2022 MOTION HEARING SCHEDULED FOR 01/14/2022 AT 900 IN COURTROOM 902	KLM
01/14/2022 DF: WINTERS, PAUL J (1732938) DEFENDANT NOT PRESENT CLK KLM DL 9:02, 11:20, 11:21. MOT TO COMPEL, DEPOSITION, EN BANC MOTION PROCEEDING ON CASE 660276. SEND OTA. DEF NOT MRA.	KLM
01/14/2022 DA: MASHON, MADELEINE (1000013105) PRESENT	KLM
01/14/2022 READINESS HEARING SCHEDULED FOR 03/11/2022 AT 900 IN COURTROOM 1003	KLM
01/14/2022 MASTER CALENDAR SCHEDULED FOR 03/15/2022 AT 900 IN COURTROOM 1003	KLM
01/15/2022 COURTESY NOTICE OF HEARING SENT TO MADELEINE MASHON	B
01/15/2022 MASTER HEARING NOTICE MAILED TO [REDACTED]	B

Accounting Summary

Post Date	Bail Amount	Type	Paid	Method	Status	DC	Posted By
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Charge Sequence Number	Obl Type	Original Obl Amount	Obl Balance Due	Time Pay Status
Total Owed:				

Addendum C

MUNICIPAL COURT OF SEATTLE DOCKET

MOTION HEARING

Next Hearing: **03/07/2022 01:30 PM**

Courtroom: **1101**

Case Number: **656721** Case Status: **OPEN**

Expiration Date: **04/12/2022**

Plaintiff: **City of Seattle**

**** DRIVING WHILE INTOXICATED ****

Vs.

Defendant: **NEACE, ERICA DIANE**

Address:

Collections:

Phone:

Date of Birth:

Age: **34**

Sex: **Female**

Defendant Number: **1864799**

Race: **W**

Language:

Incident Number: **19-367212**

Custody: **Out**

Sentencing Judge:

Related Group number:

Prosecutor:

Co-Defendants:

Defense Attorney: **LANTZ, JASON S**

Agency: **PRI**

Phone: **425-322-1076**

Interpreter:

Charges

Chrg Doc No: **60656721**

Type: **CS**

Violation Date: **10/02/2019** Filing Date: **11/10/2020**

Charge 1 **PRSNS UNDER THE INFLUENCE OF INTOXICANTS/DRUGS**

11.56.020

Plea: **NG**

Finding:

Status: **PN**

Disposition: **PENDING**

Charge Obligations

BAIL - BAIL NOT FORFEITABLE

TSD

Start: **11/12/2020**

Due: **11/12/2020**

End: **12/08/2020**

APPEARED IN COURT

Amount **\$1,000.00**

Susp: **\$0.00**

Curr: **\$0.00**

Other Case Obligations

CORS - CONDITIONS OF RELEASE

TSD

Start: **12/08/2020**

Due: **12/08/2021**

End:

NCLV, NARO, NDRO, ABST, MARJ, NVOI, DONT, CONT, CADD

Warrants

**Warrant
Number**

Issued

Served

Warrant Type

Clearance Type

Remarks

Hearings

Status	Time	Courtroom	Type	Judge	Prosecutor	Date	Clerk
H	12/08/2020 01:30 PM	901	DUIOCA	SHADID, D	SARGENT	11/12/2020	CXL
H	01/21/2021 09:00 AM	1003	DUIPTH	MCDOWALL, C	BRAUER	12/08/2020	TSD
H	03/09/2021 10:30 AM	1002	DUIPTH	CRAWFORD-WILLIS, A	SLIVA	01/21/2021	LXD
H	04/20/2021 10:30 AM	1002	DUIPTH	CRAWFORD-WILLIS, A	SLIVA	03/09/2021	KLM
H	06/15/2021 10:30 AM	1002	DUIPTH	CRAWFORD-WILLIS, A	FULCE	04/20/2021	KEH
C	08/24/2021 01:30 PM	1003	MOTION			06/15/2021	DPB
C	08/27/2021 09:00 AM	1003	RDNSS			06/15/2021	DPB
C	09/01/2021 09:00 AM	1003	MASTER			06/15/2021	DPB
H	10/07/2021 01:30 PM	902	MOTION	EISENBERG, A	KARR	09/13/2021	GMP
C	10/18/2021 01:30 PM	1002	MOTION			09/13/2021	GMP
H	01/12/2022 09:00 AM	902	MOTION	EISENBERG, A	OUTLAND	10/07/2021	LXJ
H	01/13/2022 09:00 AM	902	MOTION	EISENBERG, A	OUTLAND	01/13/2022	KLM
H	01/14/2022 09:00 AM	902	MOTION	MCDOWALL, C	KARR	01/14/2022	KLM
A	03/07/2022 01:30 PM	1101	MOTION			01/14/2022	KLM
A	03/11/2022 09:00 AM	1003	RDNSS			01/14/2022	KLM
A	03/15/2022 09:00 AM	1003	MASTER			01/14/2022	KLM

Events

Date	Description	Clerk
11/12/2020	CHARGE(S) FILED	CXL
11/12/2020	FAKE CITATION NUMBER ADDED FOR DOL REPORTING PURPOSE (CS EVENT)	CXL
11/12/2020	DUI OUT OF CUSTODY ARRAIGNMENT SCHEDULED FOR 12/08/2020 AT 1330 IN COURTROOM 901	CXL
11/13/2020	DUIOCA HEARING NOTICE MAILED TO [REDACTED]	B
12/02/2020	CASE CONFORMED TO CRIMINAL COMPLAINT BY CLERK-MSP.	MSP
12/08/2020	NOTICE OF APPEARANCE FILED BY ATTORNEY LANTZ, JASON S - WSBA 42873. RECEIVED 12/08/20. FORWARDED TO CASE FILE.	KEH
12/08/2020	DF: NEACE, ERICA DIANE (1864799) PRESENT DL: 1414 CLRK: AM/TD FOR DE BURG FOR AOR	TSD
12/08/2020	DEFENDANT ARRAIGNED CHARGE # 1 115602000 (D.U.I.) NOT GUILTY PLEA ENTERED	AJM
12/08/2020	DA MOTION FOR RELEASE GRANTED PA MOTION FOR BAIL AND RDU - DENIED	TSD
12/08/2020	Probable cause found by the court after reviewing incident number 19367212	TSD
12/08/2020	PR GRANTED BY COURT	TSD
12/08/2020	DUI PRETRIAL HEARING SCHEDULED FOR 01/21/2021 AT 900 IN COURTROOM 1003	TSD
12/09/2020	COURTESY NOTICE OF HEARING SENT TO JASON S LANTZ	B
12/09/2020	DUIPTH HEARING NOTICE MAILED TO [REDACTED]	B
01/21/2021	DF: NEACE, ERICA DIANE (1864799) PRESENT DL: 0939 CL: AM	LXD
01/21/2021	DA: LANTZ, JASON S (1000012409) PRESENT	LXD

01/21/2021 CONTINUANCE REQUESTED BY DEFENSE FOR INVESTIGATION AND NEGOTIATIONS - GRANTED	LXD
01/21/2021 SPEEDY TRIAL RULE WAIVER FILED; NEW EXP DATE 06/07/21	LXD
01/21/2021 DUI PRETRIAL HEARING SCHEDULED FOR 03/09/2021 AT 1030 IN COURTROOM 1002	LXD
01/22/2021 COURTESY NOTICE OF HEARING SENT TO JASON S LANTZ	B
01/22/2021 DUIPTH HEARING NOTICE MAILED TO [REDACTED]	B
03/09/2021 DF: NEACE, ERICA DIANE (1864799) PRESENT CLK KLM DL 1115.	KLM
03/09/2021 DA: LANTZ, JASON S (1000012409) PRESENT	KLM
03/09/2021 CONTINUANCE REQUESTED BY DEFENSE INVES/NEGOT-GRANTED	KLM
03/09/2021 SPEEDY TRIAL RULE WAIVER FILED NEW COMM DATE 4/20/21. NEW EXP DATE 7/19/21. DAYS	KLM
03/09/2021 DUI PRETRIAL HEARING SCHEDULED FOR 04/20/2021 AT 1030 IN COURTROOM 1002	KLM
04/20/2021 DF: NEACE, ERICA DIANE (1864799) PRESENT DL: 1121 CLK:TD, DE:KEH	KEH
04/20/2021 DA: LANTZ, JASON S (1000012409) PRESENT	KEH
04/20/2021 CONTINUANCE REQUESTED BY DEFENSE FOR NEGOT- GRANTED.	KEH
04/20/2021 SPEEDY TRIAL RULE WAIVER FILED NEW COMM: 06/15/21 NEW EXP: 09/13/21.	KEH
04/20/2021 DUI PRETRIAL HEARING SCHEDULED FOR 06/15/2021 AT 1030 IN COURTROOM 1002	KEH
06/15/2021 Attorney Declaration of Jason Lantz Filed on 6/15/21 by Atty Jason Lantz WSBA 42873 (CS EVENT)	CXW
06/15/2021 DF: NEACE, ERICA DIANE (1864799) PRESENT CLK: DPB DL: 1135 AOD: LANG	DPB
06/15/2021 TRIAL SETTING: SEE PRE-TRIAL ORDER FOR NOTES MOTIONS AND RULINGS. SIGNED/FILED JUDGE ANITA CRAWFORD-WILLIS.	DPB
06/15/2021 MOTION HEARING SCHEDULED FOR 08/24/2021 AT 1330 IN COURTROOM 1003	DPB
06/15/2021 MASTER CALENDAR SCHEDULED FOR 09/01/2021 AT 900 IN COURTROOM 1003	DPB
06/15/2021 READINESS HEARING SCHEDULED FOR 08/27/2021 AT 900 IN COURTROOM 1003	DPB
06/16/2021 COURTESY NOTICE OF HEARING SENT TO JASON S LANTZ	B
06/16/2021 RDNSS HEARING NOTICE MAILED TO [REDACTED]	B
08/10/2021 Motion, Declaration and Memorandum to Suppress Evidence filed by Jason Lantz WSBA 42873 on 08/10/21 (CS EVENT)	CXN
08/23/2021 Defense Motion and Proposed Order to Continue filed on 08/23/21. ROUTED TO COURTROOM 1003 FOR JUDICIAL REVIEW. ADMIN:PER JUDGE EISENBERG, MTN TO CONTINUE GRANTED. 8/24 MOTION HEARING IS CONTINUED TO 10/7/21 IN 902 AT 1:30, CONSOLIDATING WITH SPECIAL MOTION HEARING;	KLM
08/23/2021 Speedy Trial Waver Filed by Jason Lantz WSBA 42873 on 08/23/21 (CS EVENT)	CXN
08/23/2021 TRIAL DATE TO BE DETERMINED AT MOTION HEARING. COMMENCEMENT DATE 10/7/21, AND EXP 1/5/22.	KLM
08/23/2021 SPEEDY TRIAL RULE WAIVER FILED NEW COMM DATE 10/7/21. NEW EXP DATE 1/5/22. DAYS	KLM
08/23/2021 MASTER CALENDAR HRNG SCHDLD FOR 09/01/2021 AT 900 IN DEPT 1003, CANCELLED!	KLM

08/23/2021	READINESS HEARING HRNG SCHDLD FOR 08/27/2021 AT 900 IN DEPT 1003, CANCELLED!	KLM
08/23/2021	MOTION HEARING HRNG SCHDLD FOR 08/24/2021 AT 1330 IN DEPT 1003, CANCELLED!	KLM
08/23/2021	MOTION HEARING SCHEDULED FOR 10/07/2021 AT 1330 IN COURTROOM 902	KLM
09/13/2021	MOTION HEARING HRNG SCHDLD FOR 10/07/2021 AT 1330 IN DEPT 902, CANCELLED!	GMP
09/13/2021	MOTION HEARING SCHEDULED FOR 10/18/2021 AT 1330 IN COURTROOM 1002	GMP
09/13/2021	MOTION HEARING HRNG SCHDLD FOR 10/18/2021 AT 1330 IN DEPT 1002, CANCELLED!	GMP
09/13/2021	MOTION HEARING SCHEDULED FOR 10/07/2021 AT 1330 IN COURTROOM 902	GMP
10/07/2021	DF: NEACE, ERICA DIANE (1864799) DEFENDANT NOT PRESENT DL: 13:41 CLK LJ ATTY LANTZ LXJ MOTION CONTINUED PARTIES WILL SELECT TRIAL DATES AFTER 1/12/22 MOTION HRG. SPEEDY EXCLUDED	LXJ
10/07/2021	DA: LANTZ, JASON S (1000012409) PRESENT	LXJ
10/07/2021	MOTION HEARING SCHEDULED FOR 01/12/2022 AT 900 IN COURTROOM 902	LXJ
10/08/2021	COURTESY NOTICE OF HEARING SENT TO JASON S LANTZ	B
10/08/2021	MOTION HEARING NOTICE MAILED TO [REDACTED]	B
10/13/2021	CASE ASSOCIATED TO EN BANC MOTION 660276; IN RE WASHINGTON STATE TOX LABORATORY MOTION.	TFM
12/07/2021	NOTICE OF ASSOCIATION OF FRANCISCO DUARTE WSBA 24056 WITH JASON LANTZ WSBA 42873 (CS EVENT)	CXW
12/28/2021	CITY'S RESPONSE TO DEFENSE MOTION TO COMPEL DEPOSITION FILED ON 12/28/21 BY ATTY JACOB WILLARD WSBA 54307 (CS EVENT)	CXW
12/30/2021	DEFENSE WITNESS LIST AND ER 904 DOCUMENT DISCLOSURE FILED ON 12/30/21 BY ATTY DARCY COVERT WSBA 57137 (CS EVENT)	CXW
01/06/2022	MOTION FOR LEAVE TO SUPPLEMENT AMICUS CURIAE BRIEF OF BRIANNA PETERSON; SUPPLEMENT TO AMICUS CURIAE BRIEF OF BRIANNA PETERSON FILED ON 1/6/22 BY ATTY DOUGLAS P. RUTH WSBA 25498 (CS EVENT) (CS EVENT) FWDED FOR JUDICIAL REVIEW.	LXD
01/06/2022	ADMIN: PER JUDGE EISENBERG, COURT GRANTED MOTION UNDER 660276 EN BANC CASE. NO ACTION NECESSARY UNDER THIS CASE NUMBER.	LXD
01/12/2022	DA: LANTZ, JASON S (1000012409) PRESENT	KLM
01/12/2022	DF: NEACE, ERICA DIANE (1864799) DEFENDANT NOT PRESENT CLK KLM DL 0909. EN BANC MOTION PROCEEDING ON CASE NUMBER 660276.	KLM
01/12/2022	MOTION ADJOURNED FOR THE DAY. MOTION CONTINUED TO 1/13/22.	KLM
01/13/2022	MOTION HEARING SCHEDULED FOR 01/13/2022 AT 900 IN COURTROOM 902	KLM
01/13/2022	DF: NEACE, ERICA DIANE (1864799) DEFENDANT NOT PRESENT CLK KLM DL 0907. EN BANC MOTION PROCEEDING ON CASE NUMBER 660276.	KLM
01/13/2022	DA: LANTZ, JASON S (1000012409) PRESENT	KLM
01/13/2022	MOTION ADJOURNED FOR THE DAY. MOTION CONTINUED TO 1/14/22.	KLM
01/14/2022	MOTION HEARING SCHEDULED FOR 01/14/2022 AT 900 IN COURTROOM 902	KLM
01/14/2022	DF: NEACE, ERICA DIANE (1864799) DEFENDANT NOT PRESENT CLK KLM DL 9:02, 11:19, 11:21. KLM MOT TO COMPEL, DESPOSITION, EN BANC MOTION PROCEEDING ON CASE 660276. SEND OTA. DEF IS NOT MRA.	KLM

Defendant: **NEACE, ERICA DIANE**

Case Number: **656721**

01/14/2022 DA: LANTZ, JASON S (1000012409) PRESENT	KLM
01/14/2022 READINESS HEARING SCHEDULED FOR 03/11/2022 AT 900 IN COURTROOM 1003	KLM
01/14/2022 MASTER CALENDAR SCHEDULED FOR 03/15/2022 AT 900 IN COURTROOM 1003	KLM
01/14/2022 MOTION HEARING SCHEDULED FOR 03/07/2022 AT 1330 IN COURTROOM 1101	KLM
01/15/2022 COURTESY NOTICE OF HEARING SENT TO JASON S LANTZ	B
01/15/2022 MOTION HEARING NOTICE MAILED TO [REDACTED]	B

Accounting Summary

Post Date	Bail Amount	Type	Paid	Method	Status	DC	Posted By
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Charge Sequence Number	Obl Type	Original Obl Amount	Obl Balance Due	Time Pay Status
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Total Owed: